



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO. 62 OF 2026

AKASH S/O SANJAY DESHKARI

Vs.

STATE OF MAHARASHTRA THR. PSO PS DARWHA
TQ DARWHA DIST YAVATMAL

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. R. M. Daga, Advocate for the Appellant.
Mr. B. M. Lonare, APP for the State.

CORAM : **NEERAJ P. DHOTE, J.**

DATE : **10th FEBRUARY, 2026.**

1. Heard Learned counsel for the Appellant and the Learned APP for the State.
2. This is an appeal under Section 14-A of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. The application for pre-arrest bail of the Appellant is rejected by the learned Special Judge, Darwaha by order dated 30th January 2026 below Criminal Bail Application No. 12 of 2026.
4. The crime bearing No.25 of 2026 was registered with Darwaha Police Station District Yavatmal for the offence punishable under Sections 333, 74, 352 of Bharatiya Nyaya Sanhita, 2023 and for the offence punishable under Sections

3(1)(w)(i), 3(1)(w)(ii) and 3(1)(r) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. It is the case of the prosecutrix that, from last one year, the Appellant had been calling her repeatedly and expressed his liking towards her. On 22nd January 2026 at around 1.30 p.m. in the cattle shed of her house, the Appellant caught hold the Respondent No.2 and outraged her modesty. When the prosecutrix resisted, the Appellant threatened her and in the meanwhile, the husband of the Respondent No.2 came on the spot. The incident was reported to the police and the aforesaid crime came to be registered.

6. The FIR shows that the Respondent No.2 was a married woman. It further shows that, the Appellant and Respondent No.2 were known to each other. Though, there was an incident prior to six months of the FIR, no report was lodged by the prosecutrix. As regards the incident dated 22nd January 2026 is concerned, it took place in the cattle shed of the house of the Respondent No.2. This *prima facie* shows that, the place was not the public place and the incident was not within the public view. The Appellant has further raised a contention that there is an outstanding amount of Rs. 75,000/- against the husband of Respondent No.2 towards the purchase of fertilizers and

pesticides from his shop and to avoid repayment of the said amount false case was registered.

7. Considering all the aspect of the matter, false implication cannot be ruled out. Hence, I proceed to pass the following order:

ORDER

(i) Issue notice to the Respondents, returnable on 25/02/2026.

(ii) Learned APP waives the service of notice for the Respondent-State.

(iii) In the event of arrest, Appellant- Akash Sanjay Deshkari, he be released on bail in connection with Crime No.25 of 2026, registered for the offence punishable under Sections 333, 74, 352 of Bharatiya Nyaya Sanhita, 2023 and for the offence punishable under Sections 3(1)(w)(i), 3(1)(w)(ii) and 3(1)(r) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on furnishing his P.R. Bond in the sum of Rs.25,000/- (Twenty Five Thousands only) with one surety in the like amount.

(iv) Bail before the Trial Court.

(v) The Appellant shall not temper with the prosecution evidence in any manner.

(NEERAJ P. DHOTE, J.)