



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

CRIMINAL APPEAL NO. 70 OF 2026

APPELLANT : Manish S/o Madan Hirawani,
Age : 29 years, Occ : Private,
R/o. Indira Nagar, Galli No.3,
Imamwada, Nagpur.

V E R S U S

RESPONDENTS :

1. State of Maharashtra,
Through P. S. O. Imamwada,
Nagpur.
2. XYZ Victim
In Crime No.14/2026,
Police Station, Imamwada,
Nagpur.

Shri Amol Hunge, Advocate h/f Shri O. K. Masurke, Advocate for
appellant.

Shri H. D. Dubey, APP for respondent No.1.

Shri Akshat Madavi,, Advocate for respondent No.2.

CORAM: Y. G. KHOBRAGADE, J.

DATE : 27/04/2026.

ORAL JUDGMENT :

1. Heard. **Admit** and with consent of both the sides, it is
heard finally.

2. Heard Shri Amol Hunge, Advocate h/f Shri O. K.
Masurke, learned counsel appearing for the appellant, Shri H. D.
Dubey, learned APP for the respondent No.1 and Shri Akshat
Madavi, learned counsel appearing for the respondent No.2 –
Informant at length.

3. By the present appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, "SCST Act"), the appellant challenged the order dated 29/01/2026 passed in Criminal Bail Application No.190/2026 by the learned Special Judge, Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act, Nagpur and thereby, declined to release the appellant / accused on anticipatory bail in connection with Crime No.14/2026 registered with Imamwada Police Station on 15/01/2026 for the offences punishable under Section 69 of the Bhartiya Nyay Sanhita, 2023 (BNS, 2023) and Sections 3(1)(w)(i), 3(1)(w)(ii) and 3(2)(v) of the SCST Act.

4. On perusal of the FIR, it prima facie appears that the appellant and the respondent No.2 – victim were in friendship relations. As per the contents of the FIR, she came in contact with the appellant / accused while attending the Dance Class and on the promise of marriage, both of them indulged into physical relations. However, subsequently, the appellant / accused allegedly turned down his promise.

5. The respondent No.2 further alleged that, when she and the appellant were sitting in Deo Nagar Garden, at that time, the

appellant / accused abused her on her caste saying that she belongs to Scheduled Caste community, hence, he does not want to marry with her.

6. The FIR does not reflect that the appellant / accused abused the victim – respondent No.2 in public view. Therefore, the offence under Section 3(1) of the SCST Act does not constitute. Therefore, bar under Section 18 of the SCST Act does not create to enlarge the appellant / accused on anticipatory bail.

7. Nonetheless, the appellant / accused and the respondent No.2 both are major and they developed physical relations out of love affair. Therefore, the interrogation of the present appellant does not require.

8. On 16/02/2026, this Court passed an order and granted ad-interim anticipatory bail to the appellant / accused. Therefore, the said interim order is liable to be extended till conclusion of the trial on the same terms and conditions.

9. In addition to the terms and conditions of the order dated 16/02/2026, the appellant shall not contact with the respondent No.2 – victim and shall not issue any threat.

10. Accordingly, the impugned order dated 29/01/2026 passed in Criminal Bail Application No.190/2026 by the learned Special Judge, Nagpur under SCST Act is hereby quashed and set aside.

11. Accordingly Criminal Appeal stands disposed of.

12. Applications, pending if any, are disposed of accordingly.

[JUDGE]

Choulwar