



‘IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

926 ANTICIPATORY BAIL APPLICATION NO. 1573 OF 2026 WITH
CRIMINAL APPLICATION NO. 3557 OF 2026
IN ABA/1573/2026

Gaurav Vijay Deshmukh Applicant

VERSUS

The State of Maharashtra Respondent

Mr. N. S. Ghanekar, Advocate for Applicant
Ms. R. P. Gour, APP for the State.
Mr. N. N. Desale, Advocate for the informant.

AND
ANTICIPATORY BAIL APPLICATION NO. 1576 OF 2026

Bhavesh Sunil Mahajan Applicant

VERSUS

The State of Maharashtra & another Respondents

Mr. Sanket Palnitkar, Advocate holding for Mr. G. M. Sharma,
Advocate for Applicant
Ms, R. P. Gour, APP for the State.

AND
930 ANTICIPATORY BAIL APPLICATION NO. 1621 OF 2026

Kailas Janardhan Wagh Applicant

VERSUS

The State of Maharashtra Respondent
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Mr. R. U. Gavhane, Advocate for Applicant

Mr. S. B. Narwade, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 8th SEPTEMBER, 2026.

PER COURT :

1. At the outset, learned Counsel Mr. Desale seeks permission to assist learned APP on behalf of the informant in Anticipatory Bail Application No. 1573/2026.
2. Learned Counsel for Applicant records no objection for the same.
3. In view of above, learned Counsel Mr. Desale is permitted to assist learned APP. Criminal Application No. 3557/2026 is allowed.
4. After hearing learned Counsel for both sides when this Court has shown disinclination to grant relief to the Applicant in Anticipatory Bail Application No. 1573/2026, learned Counsel for Applicant, on instructions, seeks withdrawal of the application.
5. Anticipatory Bail Application No. 1573/2026 stands dismissed as withdrawn.

6. Applicants in Anticipatory Bail Application Nos. 1576/2026 and 1621/2026 seek pre-arrest bail in connection with Crime No. 179/2026 registered with Deopur West Police Station, Dhule, District Dhule, for the offences punishable under Sections 118(1), 118(2), 115, 352, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita.

7. First Information Report indicates the incident has occurred on 28.04.2026 at about 10.00 pm in which the informant, his father and wife were assaulted by the Applicants and co-accused. There is no allegation against the present Applicants that they used any weapon in order to cause said assault.

8. Learned Counsel for Applicants in both the applications submit that in absence of any attribution against the Applicants of using any weapon, this is not a fit case where custodial interrogation of the Applicants is necessary. There is nothing to be recovered from them.

9. Learned APP opposed the applications contending that all accused came together and caused assault and as such they are responsible for the acts of each other.

10. Prima facie perusal of the report of Investigating Officer before the Sessions Court indicates that there is no allegation against the present Applicants of using any weapon in the said incident. As such, this Court finds substance in the contention of learned Counsel for the Applicants that this is not a case of custodial interrogation of the Applicants. Hence, both the applications stand allowed in following terms :-

ORDER

(i) In the event of arrest of applicant Bhavesh Sunil Mahajan in Anticipatory Bail Application No. 1576/2026 and Applicant Kailas Janardhan Wagh in Anticipatory Bail Application No. 1621/2026 in connection with Crime No. 0179/2026, registered with Deopur West Police Station, Dhule, District Dhule, for the offences punishable under Sections 118(1), 118(2), 115, 352, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, they be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one surety in the like amount.

(ii) They shall attend the concerned police station on 15.09.2026 between 11.00 to 1.00 pm.

(iii) They shall not contact the witnesses directly or indirectly.

(iv) They shall not interfere with the evidence in any manner whatsoever.

(v) They are further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI, J.)

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