



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 ANTICIPATORY BAIL APPLICATION NO. 181 OF 2025

1. ARJUN HARICHANDRA CHAVAN
2. KAILAS HARICHANDRA CHAVAN
3. NIKHIL KAILAS CHAVAN
4. USHA @ VIJUBAI ARJUN CHAVAN
5. GENUBAI HARICHANDRA CHAVAN
6. SINDHUBAI KAILAS CHAVAN

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants :

Mr. Navin S. Shah h/f. Mr. Patil Swapnil Shashikant
APP for Respondent/State: Mr. R. S. Wani

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CORAM : ARUN R. PEDNEKER, J.

DATE : 10.02.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No.24 of 2025, dated 16.01.2025, registered at Pachod Police Station, Taluka Paithan, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 115(2), 118(1), 118(2), 189(2), 190, 191(2), 191(3), 351(2), 352 of the BNS 2023.

3] The case against the applicants is that when the informant went to measure the property purchased by him the applicants obstructed the informant. Thereafter, there was fight between them. It is stated in the complaint that 2 of the accused had caught hold the informant and one of the accused / applicant no.1 - Arjun had hit the informant with a fighter on his head causing grievous injuries.

4] The learned counsel for the applicants submits that there is dispute as regards the family property and that the applicants are the owners of the property and the informant has no role with it. The learned counsel for the applicants submits that the fight has happened between applicant no.1 Arjun and the informant. It is also submitted that the applicant no.1 is handicapped person and does not have one arm.

5] The learned APP, today, produces the injury certificate of the informant, which shows abrasion injuries on three parts of the body, which are simple in nature. Considering that applicant no.1 is an handicapped person and the nature of injuries being simple and also that the assault is on account of a civil dispute, so also, considering that there is no specific role attributed to the other accused as regards the assault, the applicants deserve to be granted anticipatory bail.

6] In view of the above, the application is allowed in the following terms :

i] In the event the applicants are arrested in connection with Crime No.24 of 2025, dated 16.01.2025, registered at Pachod Police Station, Taluka Paithan, District Chhatrapati Sambhajnagar, for the offences punishable under Sections 115(2), 118(1), 118(2), 189(2), 190, 191(2), 191(3), 351(2), 352 of the BNS 2023, they shall be released on bail on furnishing PR bond of Rs.15,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the concerned police station on 13.02.2025 and 14.02.2025 between 10:30 a.m. to 01:30 p.m. and, thereafter, as and when required by the Investigating Officer.

iii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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