



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

47 ANTICIPATORY BAIL APPLICATION NO. 343 OF 2025

1. VISHNU SAINATH JADHAV
2. EKNATH SAINATH JADHAV
3. SAINATH GABRU JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant :

Mr. Chaitanya Chandrakant Deshpande

APP for Respondent/State: Mr. S. P. Sonpawale

...

WITH

...

CRIMINAL APPLICATION NO. 1126 OF 2025

IN

ABA/343/2025

VILAS DHARMU ADDE (RATHOD)

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Datta Sundarrao Kale (**Absent**)

APP for Respondent/State: Mr. S. P. Sonpawale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 01.04.2025

P.C. :

1] In Criminal Application No.1126 of 2025 for
assist to public prosecutor, none present for the applicant.

2] In Anticipatory Bail Application, heard learned counsel for the applicants and the learned APP for the respondent-State.

3] The applicants are apprehending arrest in connection with Crime No.16/2025, registered at Kannad Rural Police Station, District Chhatrapati Sambhajinagar (Rural), for the offences punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023.

4] This court by order dated 10.03.2025 granted interim protection to the applicants noticing submissions and reasons, at paragraphs no.3 and 4, as under:

“3] The case against the applicants is that applicant no.1 - Vishnu had assaulted the deceased by means of axe handle on 04.02.2025 and all the applicants had beaten the deceased and thereafter, on 05.02.2025, the deceased had committed suicide. The reason for the assault is stated that there was dispute as regards the deceased grazing his goats into the field of the relative of the applicants. It is stated that the applicants had threatened the deceased by making phone calls. Not being able to bear out the threats, the deceased had committed suicide, on 05.02.2025.

4] The learned counsel for the applicants submits that on perusal of the postmortem report it indicates that there are no other injuries on the body other than ligature marks indicating suicide. The assault, on 04.02.2025, is not substantiated; as there is no single injury on the deceased. He submits that the FIR is

exaggerated. He submits that even if the FIR is taken as it is, there was assault or threat due to goats being taken to the field of the applicants and that it would be the natural response to defend their side of field. He submits that even assuming that the phone calls were made and the threats were given, on 04.02.2025, the same cannot be said to be to instigate the deceased to commit suicide or that in any way the applicants have abated suicide. Considering the same, prima facie case is made out by the applicants to grant anticipatory bail.”

5] The learned counsel for the applicants submits that pursuant to the interim protection order, the applicants have cooperated with the investigation.

6] Considering the FIR as it is even if there were some altercations between the applicants and the deceased prior to commission of offence, the solitary instance of altercations would not amount to abetment of suicide of the deceased. This court has granted interim protection to the applicants and the same can be confirmed for the reasons mentioned in the interim protection order.

7] In view of the above, the interim protection granted by order dated 10.03.2025 stands confirmed, on the following terms:

i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] 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.

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

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

9] 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.

10] The Anticipatory Bail Application stands disposed of.

11] Criminal Application No.1126 of 2025 for assist to public prosecutor is also disposed of.

[ARUN R. PEDNEKER]
JUDGE