



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

12 ANTICIPATORY BAIL APPLICATION NO. 425 OF 2025

1. SURESH ASHOK SAPTE
2. DYANESHWAR DIGAMBAR BORUDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. Manoj A. Dond

APP for Respondent/State: Mr. N. B. Patil

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 17.03.2025

P.C. :

1] Issue notice to the respondents. The learned APP waives service of notice on behalf of both the respondents.

2] 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.81/2025, dated 03.02.2025, registered at Newasa Police Station, District Ahilyanagar, for the offences punishable under Sections 352, 351(2), 3(5) and 117(2) of the Bharatiya Nyaya Sanhita, 2023.

4] The learned counsel for the applicants, on instructions, seeks leave to withdraw the application for applicant no.1.

5] Leave granted. Application is dismissed qua applicant no.1.

6] The allegations in the FIR is that on 02.01.2025, while the informant and the another person was standing, the present applicants came there and started talking with the informant and, thereafter, the informant told the applicants that there is some private discussion going on between the informant and the another person and that the applicants should not intervene. On his stating so, applicants got angered and abused the informant and, thereafter, applicant no.1 assaulted the informant on his nose using still bracelet / *kada* and due to which the informant sustained grievous injury.

7] Considering that there is no direct assault by applicant no.2, he can be considered for grant of anticipatory bail.

8] Considering the FIR and also considering that the offence is taken place in 02.01.2025 and the Session Court has considered the matter on 07.03.2025 and that no further aggravated offence is registered against applicant

no.2, till March 2025, this court does not think necessary to call for the police papers.

9] In view of the above, the application is allowed qua applicant no.2 in the following terms :

i] In the event Applicant No.2 is arrested in connection with Crime No.81/2025, dated 03.02.2025, registered at Newasa Police Station, District Ahilyanagar, for the offences punishable under Sections 352, 351(2), 3(5) and 117(2) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] Applicant No.2 shall attend the police station as and when required by the Investigating Officer.

iii] Applicant No.2 shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] Applicant No.2 shall co-operate with the investigation and also in the proceedings before the trial Court.

10] In the event, Applicant No.2 violates any of the conditions specified in this order, it shall be liable to be cancelled.

11] 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.

12] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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