



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

922 ANTICIPATORY BAIL APPLN. NO.444 OF 2025

PRADIP MADHAV BAJULGE

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for the applicant : Mr.A.N.Sabnis
APP for Respondent-State : Mr.S.P.Sonpawale
Advocate for Assist to P.P. : Mr.R.P.Cheble

...

WITH

**CRIMINAL APPLICATION NO. 1174 OF 2025
IN ABA/444/2025**

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 02.04.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.1184 of 2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for assist to P.P.

3] The applicant has approached this Court apprehending arrest in connection with Crime No.46/2025, registered with Deoni Police Station, Deoni, for the offence punishable under Sections 105, 115 (2) and 352 of Bhartiya Nyaya Sanhita.

4] The learned counsel for the applicant submits that there is altercation between the parties and the deceased has suffered minor injuries on his wrist and left knee. He further submits that there is no corresponding injury on head as alleged in the FIR. He further submits that as per the P.M. report, the cause of death is due to coronary artery disease. The learned counsel for the applicant relies upon the judgment in the case of **Mayandi Vs. State represented by Inspector of Police** reported in **[2010] 11 SCC 774** and submits that there is no evidence and statement by the prosecution that the applicant was aware that the deceased has heart problem. The injuries are simple in nature. As such, the death caused on account of heart disease and not on account of simple injury. Considering the said fact, Section 105 of BNS would not attract in the instant case.

5] Considering the submission of the learned counsel for the applicant and considering the P.M. report, which shows that the injuries caused to the deceased are simple in nature and the death is caused on account of coronary artery disease, the applicant is granted interim protection in the following terms :-

A] Till the next date, in the event the applicant is arrested in connection with Crime No.46/2025, registered with Deoni Police Station, Deoni, for the offence punishable under Sections 105, 115 (2) and 352 of Bhartiya Nyaya Sanhita, he shall be released

on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount.

B] The applicant shall remain present before the investigating officer on 15.04.2025, 16.04.2025 and 17.04.2025 between 10.30 a.m. and 1.30 p.m.

C] The applicant shall co-operate with the investigation, including producing all documents in his possession, as may be demanded by the investigating officer.

D] The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

6] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

7] List on 28.04.2025. Interim protection till the next date.

[ARUN R. PEDNEKER]
JUDGE

DDC