



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

928 ANTICIPATORY BAIL APPLICATION NO. 553 OF 2025

1. ASHWIN JIJABHAU PRADHAN

2. NITIN JIJABHAU PRADHAN

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gautam Jaywant Karne

APP for Respondent/State: Mr. B. B. Bhise

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 16.04.2025

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.122/2025, dated 13.03.2025, registered at Mantha Police Station, District Jalna, for the offences punishable under Sections 123, 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] The allegations against the applicants are that the informant had gone for attending the natures call, the applicants came there and assaulted the informant and also poured some poisonous compound in his mouth, which also fell in his eyes, causing severe sensation in the eyes. After

medical treatment in the hospital for three days, the FIR is registered.

4] The learned counsel for the applicants submits that the father of the informant has made a will in favour of the applicant qua the agricultural property and, as such, there is grievance of the informant against the present applicants and in view of that the FIR is registered.

5] Per contra, learned APP produced the medical certificate and submits that the medical certificate indicates that there is some abrasion on the forehead and also that there is compound administered by the applicants to the informant. It is stated that the applicant having got the will executed unlawfully and is now trying to dispossess the informant from the land of his father and on account of which the present incident has occurred.

6] Having considering the rival submissions and perusal of the papers, it appears that the genesis of the matter would lie in the will made by the father of the informant in favour of the applicant. There is also a possibility that on account of the will the applicants have tried to take the possession of the property and has accordingly may or may not have attempted to take possession of the property. Both the probabilities are there in the matter.

7] Considering this aspect of the matter, the learned counsel for the applicants, on instructions, submits that the applicants would not enter into the village for a period of one (01) year, as there is apprehension that the applicants would forcefully dispossess the informant from the land without taking recourse to the legal proceedings. The same is also observed in the order of the Sessions Court. The observations is also made that the applicants are adamant.

8] Without observing anything as regards the will or the corresponding civil dispute between them, the applicants can be put to terms and protection can be granted in the instant case.

9] The learned APP submits that the applicants may be directed to the attend the concerned police station to conclude the investigation.

10] 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.122/2025, dated 13.03.2025, registered at Mantha Police Station, District Jalna, for the offences punishable under Sections 123, 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 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 24.04.2025 and 25.04.2025, between 10:30 a.m. to 01:30 p.m.

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.

v] The applicants shall not enter into the concerned village for a period of one (01) year.

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

12] 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.

13] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE