



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

925 ANTICIPATORY BAIL APPLICATION NO.773 OF 2025

1. Taher Abdul Raheman Mewati
 2. Kadamat Abdul Rahman Mewati
 3. Azamkha Gulamnabi Mewati
-Applicants

VERSUS

The State of Maharashtra And Another ..Respondents

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Shri. Sudarshan J. Salunke, Advocate for the Applicants

Shri. C. V. Bhadane, APP for the Respondent – State.

Shri. Kazi Rahil Riyazoddin, Advocate for the Informant

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CORAM : NEERAJ P DHOTE, J.

Dated : SEPTEMBER 20, 2025

PER COURT :-

. Crime No.0508/2024 is registered with Amalner Police Station, Dist. Jalgaon for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 296, 115, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') against the Applicants and others. Since the Applicants are apprehending arrest, they have filed this Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') for Pre-arrest bail.

2. Heard the learned Advocate for the Applicants, the learned APP for the State and the learned Advocate for the Informant.

3. It is submitted by the learned Advocate for the Applicants that, the Applicant Nos.1 and 2 are the senior citizens and one of the Co-accused i.e. Accused No.9 has also registered Crime against the Informant and others for the same incident bearing Crime. No.0516/2024 for the offences punishable under Sections 118(2), 118(1), 189(2), 191(2), 191(3), 190, 115 and 3(5) of the BNS. He further submits that, if the FIR is perused, the role attributed to the Applicants is minor. The investigation can be completed without custody of the Applicants and therefore, the Application be allowed.

4. The Application is opposed by the learned APP for the State. He submits that, the Medical Report show injuries on the person of the Informant and the Injured Witnesses. He submits that the Application be rejected.

5. The learned Advocate for the Informant submits that from the photographs the gravity of the assault can be seen. He submits that, the Application be rejected.

6. The Applicants are undisputedly named in the FIR. The role of assault by the Iron Rod is attributed to the Applicant No.1 – Taher, the role of assault by Spanner is attributed to the Applicant No. 2 - Kadamat and role of assault by Tommy is attributed to the Applicant No.3 -

Azamkha. The FIR shows active participation of the Applicants in the assault. The lodging of the cross-FIR by one of the Co-accused fortifies the happening of the incident. Considering the nature of the accusations, in my considered view, this is not the case to grant Protection under Section 482 of the BNSS, and hence, the following order.

ORDER

- (i) The Application is rejected.

(NEERAJ P. DHOTE, J.)

GGP