



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

951 ANTICIPATORY BAIL APPLICATION NO. 788 OF 2025

Mukund Vishwanath Kharat And Others

VERSUS

The State Of Maharashtra And Another

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Mr. Mahesh S. Deshmukh h/f Mr. K. D. Pote - Advocate for Applicant

Mr. N. D. Batule - APP for State

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CORAM : NEERAJ P DHOTE, J.

DATED : 16TH SEPTEMBER, 2025

PER COURT : -

1. Heard learned Advocate for the Applicants and the learned APP for the State. Perused the papers made available by the learned APP.

2. Crime No. 0064 of 2025 has been registered with Kharda Police Station, District Ahilyanagar, for offences punishable under Sections 109(1), 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, on the report lodged by Vaijinath Popatrao Patil. Since the Applicants are named in the said FIR and apprehending arrest in the same, they have approached this Court by filing the present Application for Anticipatory Bail.

3. It is the case of the Prosecution that in the night of 4th July,

2025, on account of previous quarrel and rivalry between both the parties, the Applicants and the Co-accused assaulted the Informant and the witnesses. In the assault, the Applicants used wooden stick and the Co-accused used nunchaku and iron pipe. The Informant had to take treatment.

4. In the report, no role of assault is attributed to the present Applicants by the Informant. The report shows that the Applicants were present with wooden stick in their hand, however, as per the CCTV footages collected by the Investigating Officer, the Applicants are reported to be seen assaulting the Informant with wooden sticks and, therefore, according to the learned APP, the custodial interrogation of the Applicants is necessary.

5. Perusal of the papers show that there was earlier FIR dated 28.03.2025, registered on the basis of the report by one Omkar Parmeshwar Ingle, who is an Accused in the present Crime, against the son of the Informant and one more in respect of the assault on him, and Crime came to be registered under Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and Sections 115(2), 118(1), 3(5), 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023. As the CCTV footages have been seized by the Investigating Officer, there is no question of

tampering with the same. The Accused in the present case to whom the role of assault by nunchaku and iron pipe is attributed are released on bail by the learned Sessions Judge. Three of the Applicants are the women and the Applicant No. 1 is the senior citizen. The Injury Certificate of the Informant shows four injuries simple in nature. Considering all these aspects and the role attributed to the present Applicants, I am inclined to confirm the interim protection granted to them. Hence, the following order.

ORDER

- [i]** The interim protection granted to the Applicants by this Court vide order dated 16.05.2025, is confirmed.

- [ii]** The Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE

SG Punde