



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 810 OF 2025
WITH
CRIMINAL APPLICATION NO.1937 OF 2025

1. Navnath S/o. Dagdu Sanap
2. Ganesh S/o. Navnath Sanap
(Withdrawn as against applicant no.2)
3. Indrajit S/o. Sukhdev Chindhe ... Applicants

Versus

1. The State of Maharashtra
2. The Superintendent of Police,
Ahmednagar ... Respondents

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Mr. N. B. Narwade, Advocate for Applicants in ABA/810/2025.

Mr. S. B. Narwade, APP for Respondents - State.

Mr. A. M. Hajare, Advocate for Applicant (Assist to APP) in
APPLN/1937/2025

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 18 AUGUST 2025

PRONOUNCED ON : 20 AUGUST 2025

ORDER :

1. Relief of anticipatory bail is urged for on account of registration of crime bearing no. 0375 of 2025 registered at Newasa police station, Dist. Ahilyanagar dated 15.04.2025 for offence punishable under sections 352, 351(2), 191(3), 191(2), 190, 189(2), 118(2) and 115 of BNS.

2. Criminal Application No.1937 of 2025 is allowed. The original complainant is permitted to assist the learned A.P.P.

3. According to learned counsel for applicants, alleged occurrence is of 13.04.2025, however, report is lodged on 15.04.2025 and complaint being delayed one, there is possibility of false implication. He submitted that, there are allegations of assault by means of rod, but such allegations are directed against all accused named in the FIR and as such no specific role is defined. He pointed out that there are allegations of throwing chilly powder in the eyes, but there is no evidence to that extent. He further pointed out that, investigation is over and charge sheet is already filed, and therefore, custody of the applicant is unwarranted. He also pointed out that, there are cross complaints. That, dispute is on minor count like using cart way and therefore there is civil dispute. As applicants are ready to co-operate with the investigation machinery and as no recovery is to be made, relief of anticipatory bail is urged for.

4. Learned APP as well as learned counsel for original complainant, have both strongly opposed on the ground that serious offence is committed. That, there is assault on the vital part of the body. That, injury certificates of all injured are part of papers. That, one of the injured, namely Uddhav had suffered injury on parietal

region and was required to undergo brain CT scan on account of suffering grievous injury. That, there are allegations of use of iron rod with sole intention to commit murder. For all above reasons, they both prayed to dismiss the application.

5. After considering the above submissions and on going through the FIR, it is emerging that, one Uddhav Sanap set law into motion by approaching Newasa Police Station naming applicants and two unknown persons for indulging in assault at 5:00 p.m. on 13.04.2025. Allegations are levelled that, while informant and his wife were busy in agricultural activity, immediate neighbour Navnath was spotted making phone call and summoning someone, followed by arrival of accused Ganesh with unknown person on bullet motorcycle. It is reported that, while informant, fearing assault had been towards one Babasaheb Shinde, his wife also followed him, and at that time, applicant Navnath, Ganesh and three unknown persons rushed with iron rod and assaulted informant and his wife Sangita. In the report, it is stated that, while incident of assault was taking place, handkerchief covering the face of one of unknown person came off, revealing his identity and said person to be Indrajit i.e. present applicant no.3. Thus, allegations against Indrajit are for throwing chilly powder in the eyes of informant. Thus, there are allegations of assault by means of iron rod. Learned APP has invited attention of

this court to the injury certificate of informant as well as his wife Sangita. Informant has suffered CLW over right parietal region of skull along with three other injuries and is shown to be referred to civil hospital for CT scan of head and brain. His wife Sangita has also suffered as many as four injuries though simple in nature. Thus, informant seems to have suffered two grievous injuries and three simple injuries. Occurrence is of 13.04.2025.

6. Considering the nature and gravity of the offence and allegations and above medical papers, this court is not inclined to grant relief as prayed.

7. The application stands rejected.

(ABHAY S. WAGHWASE, J.)