



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 832 OF 2025

Sheshrao Ganpat Shinde

... Applicant

Versus

The State of Maharashtra,
Through In - Charge Officer,
Selu Police Station, Parbhani

... Respondent.

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Mr. G. L. Deshpande, Advocate for Applicant.

Mr. M. K. Goyanka, APP for Respondent - State.

Mrs. Snehal P. Kulkarni, Advocate for Informant.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 20 AUGUST 2025

PRONOUNCED ON : 22 AUGUST 2025

ORDER :

1. This is a pre-arrest bail application in Crime No.0149 of 2025 registered at Selu Police Station, Dist. Parbhani for offence punishable under sections 115(2), 118(1), 118(2), 296, 329(3), 351(2), 351(3) a/w 3(5) of Bharatiya Nyaya Sanhita.

2. Learned counsel pointed out that, applicant is 64 years of age. That, there is false implication. In fact, applicant himself assaulted by informant and his family members, due to issue of some encroachment. That, applicant has also suffered injuries. That, medical papers to that extent are placed on record. That, present FIR

is counter blast to his complaint. That, there is issue of ownership of land. That, there was no assault as alleged. That, applicant being 65 years of age, deserves protection. That, nothing is to be recovered from him. That, applicant is ready to co-operate with the investigation. Learned counsel also placed on record documents of M.L.C. and some medical reports and urges for grant of anticipatory bail.

3. Learned APP as well as learned counsel for original complainant have strongly opposed by pointing out that, applicant has assaulted informant, his wife, sister-in-law by means of iron rod. That, they have suffered serious injuries. That, there is independent eye witness account. That, their statements are recorded. Applicant has caused injuries to three persons. That, there is injury to pregnant lady, and therefore, for effective investigation, application is sought to be rejected.

4. After considering the above submissions and on going through the FIR, it is emerging that, one Chakradhar Katare lodged report with police alleging that, on 21.03.2025, around 11:00 a.m., when he and his wife, sister-in-law Pooja were working in the field, present applicant arrived in a Scorpio vehicle with three unknown persons. Applicant was said to be armed with iron rod, whereas

unknown persons were holding sticks. Complainant was asked to release buffalo and to remove the articles from the spot and thereafter, it is alleged that, present applicant hit iron rod on the head of informant from backside. When his wife and sister-in-law intervened it is alleged that, unknown persons caught them and one of them hit his wife with stick also on the head and sister-in-law Pooja hit elbow on the her abdomen. This lady Pooja was said to be pregnant. Statement is made across the bar by learned counsel for the applicant as well as learned APP that, pregnant lady suffered bleeding. Learned APP has placed on record police papers including medical certificate of informant Usha and Pooja. As submitted, Pooja has suffered bleeding with history of pain in abdomen.

5. Learned counsel for applicant submits that present FIR is counter blast and there was assault on applicant and has also placed on record medical papers. The said MLC is of PHC, Parbhani, however, it is of 21.03.2025. However, on court query, learned counsel for applicant submitted that, present applicant has not lodged any FIR. Thus, mere oral submissions are made that there is counter blast to applicant's report. Apparently, there is civil dispute. Applicant is said to be of 64 years of age. He has also placed medical papers i.e. MLC regarding injuries suffered by him. There seem to be dispute over encroachment. Applicant though has not lodged report,

he seems to have informed Dy.S.P.. Considering his age and when applicant undertakes to make himself available for investigating machinery as and when called, he deserves protection. Hence, the following order is passed :-

ORDER

- (i) The anticipatory bail application is allowed.
- (ii) In the event of arrest of applicant - Sheshrao Ganpat Shinde in Crime No.0149 of 2025 registered at Selu Police Station, Dist. Parbhani for offence punishable under sections 115(2), 118(1), 118(2), 296, 329(3), 351(2), 351(3) a/w 3(5) of Bharatiya Nyaya Sanhita, he shall be released on executing P. B. and S.B. of Rs.15,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (iv) The applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.
- (v) Applicant shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(ABHAY S. WAGHWASE, J.)