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

ANTICIPATORY BAIL APPLICATION NO.875 OF 2025

1. Radhakisan S/o Dadaba Londhe
Age: 24 years, Occu.: Agri.,
R/o. Adgaon, Tq. Pathardi,
Dist. Ahilyanagar (Ahmednagar)
 2. Avinash S/o Bhaskar Shinde
Age: 28 years, Occu.: Agri.,
R/o. Tisgaon, Tq. Pathardi,
Dist. Ahilyanagar (Ahmednagar)
- ... Applicants

Versus

1. The State of Maharashtra
 2. The In-charge Investigation Officer,
Pathardi Police Station, Tq. Parhardi,
Dist. Ahilyanagar (Ahmednagar).
- ... Respondents

.....
Mr. S.R. Andhale, Advocate for Applicants
Mr. S.M. Ganachari, APP for Respondents Nos.1 and 2
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 22 AUGUST, 2025
PRONOUNCED ON : 25 AUGUST, 2025

PER COURT :-

1. This is a pre-arrest application on account of registration of crime bearing No.0903/2024, registered at Pathardi Police Station, District Ahilyanagar (Ahmednagar), for offences punishable under Sections 109, 115(2), 118(1), 3(5), 333, 351(2), 352 of Bharatiya Nyaya Sanhita (BNS).

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2. Alleging false implication, learned counsel pointed out that, alleged occurrence is of 19.09.2024, whereas report is lodged on 24.09.2024 and as such, the report itself is false, concocted and afterthought. He pointed out that, the main accused Jaysing is already beneficiary of bail. That, both present applicants, are shown as accused Nos.2 and 3, and allegations are that they both were armed with sword and iron rod, however, injuries do not tally for use of such articles. According to him, there is no motive attributed for said assault. That, applicants are ready to co-operate and custodial interrogation is not necessary as whatever was said to be used was already available at the spot. For above reasons, learned counsel urges for grant of anticipatory bail.

3. Learned APP opposed on the ground that, serious offence is committed by using deadly articles like sword, iron rod, etc. Moreover, both present applicants are history-sheeters and have good deal of criminal antecedents. That, the episode of assault is an attempt to create terror in the minds of people and hence, for above reasons, application is sought to be rejected.

4. Heard. Perused the report at the instance of Jeevan Jangle, who claims to be a student. He reported that, on 19.09.2024 while he was sitting in the courtyard of his house, Jaysing Londhe, Radhakisan

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Londhe (present applicant no.1), Avinash Bhaskar Shinde (present applicant no.2) and Ganesh Shinde came on two motorcycles and they were armed with articles like sword, iron rod, wooden log. Informant claims that, when he was about go inside the house, above persons followed him and questioned him for staring at them and, it is alleged that, Jaysing hit rod on his head, but he warded off the blow and suffered blow on nose causing bleeding injury. Radhakisan, Avinash and Ganesh allegedly assaulted by means of iron rod and wooden log in the back, abdomen and dragged him out of the house and again gave him kicks and fist blows.

5. On Court query, learned APP invited attention to the injury certificate of informant, which shows that he suffered abrasion, contusion and contused lacerated wound which is reported to be grievous injury. In the report itself it is stated that, after the assault it is declared that nobody can do anything and several cases are lodged against them. Against Radhakisan, there are again allegations of brandishing sword by issuing threats to kill.

6. Therefore, in the light of above nature of allegations, taking into consideration the injury certificate as well as nature of articles allegedly put to use, and though mere oral submissions are made that Jaysing is granted bail, and as no copy of any order to that extent

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having been placed on record, this Court is not inclined to grant bail as prayed. Hence, the following order :

ORDER

Anticipatory Bail Application is rejected.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane