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

ANTICIPATORY BAIL APPLICATION NO.922 OF 2025

1. Pawan Ukha Patil @ Pradip Jijabrao Patil,
Age: -29 years, Occu.: Agriculture

2. Bhatu S/o. Punjaram Patil,
Age:- 45 years, Occu.: Agriculture,

R/o. At post Dhamangaon,
Tq. and Dist. Dhule.

.... Applicants

Versus

1. The State of Maharashtra
Through The Police Inspector,
Dhule Taluka Police Station,
Dist. Dhule.

2. Superintendent of Police,
Dhule.

.... Respondents

.....

Mr. Chaitanya C. Deshpande, Advocate for Applicants
Mr. M.L. Sangit , APP, APP for Respondents No.1 and 2

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 18 AUGUST, 2025

PRONOUNCED ON : 19 AUGUST, 2025

PER COURT :-

1. This is a pre-arrest application, apprehending arrest in crime No.222 of 2025 registered with Dhule Taluka Police Station, District Dhule for offences punishable under sections 74, 75, 189 (2), 189(4), 190, 329. 118(1), 115(2), 352, 351 (2), 351 (3), 324 (4) of the Bharatiya Nyaya Sanhita (BNS).

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2. Learned counsel for applicants submits that both applicants are falsely involved. That, allegations are general and nonspecific. That, whatever incident took place was sudden and in a scuffle. It is submitted that there was no ill intention or motive. As regards the allegation under Section 324 of the BNS, it is submitted that the alleged weapons have already been recovered from the other co-accused, namely Vilas and a juvenile, and they have already been granted bail by the learned trial Court. That, no further recovery is to be made at the instance of the present applicants. That, both applicants are ready to cooperate with the investigating agency. For all above reasons, relief of anticipatory bail is urged for.

3. Learned APP opposed the application on the ground that there is a serious offence of outraging modesty. It is alleged that the complainant's sari was torn. It is submitted that there are allegations of use of an iron rod. That, there is an eyewitness account. That, the injury certificate is also placed on record. For all above reasons, pre-arrest bail is opposed.

4. After hearing the submissions and on going through the FIR dated 12.04.2025 registered at Dhule Taluka Police Station, it is emerging that Dinesh Sonawane has set the law in motion. He has alleged that on 11.04.2025, in the afternoon, when he and his family

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were returning to their native place at Kalmadu, Pawan Ukha Patil was proceeding on a motorcycle. He misunderstood that a cut was given by the driver of the cruiser occupied by them; he intercepted their way and started hurling abuses in filthy language. It is reported that when the informant alighted from the vehicle to give understanding, it is alleged that Pawan Ukha Patil and Bhatu Punjaram Patil, i.e., the present applicants, along with one Avinash Batu Patil, gave fist blows and also hurled abuses. It is alleged that the present applicant No. 2, Bhatu, telephoned and called 10 to 12 persons, who then came there. It is alleged that again there was beating. It is alleged that the present applicant Bhatu pulled the sari of his mother, as a result of which it got torn. Further, the modesty of his aunt was outraged by touching of her breasts. Applicant Pawan spit on his aunt, and it is alleged that he used an iron rod to assault the complainant as well as his uncle.

5. The learned APP has placed on record the injury certificate of the victim, which of the same date i.e. 11.04.2025. Thus, *prima facie* on the minor count, there is abuse and assault on the complainant and his family members. There is no previous animosity. Occurrence seems to have taken place on account of overtaking vehicle. In FIR there are allegations against as many as 15 persons. The trial court

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seems to have granted bail to the juvenile as well as to Vilas Patil. Allegations against applicant Bhattu Patil are pulling saree of mother of complainant and even outraging modesty of aunt of the complainant by touching of her breasts. Therefore, only application of applicant no.1 deserves to be allowed. Hence, I proceed to pass the following order:

ORDER

- (i) Application is partly allowed.
- (ii) In the event of arrest of applicant No.1 Pawan Ukha Patil @ Pradip Jijabrao Patil in connection with crime No.222 of 2025 registered with Dhule Taluka Police Station, District Dhule for offences punishable under sections 74, 75, 189 (2), 189(4), 190, 329. 118(1), 115(2), 352, 351 (2), 351 (3), 324 (4) of the Bharatiya Nyaya Sanhita (BNS), 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.

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(iv) Applicant shall co-operate in the investigation.

(v) The applicant shall not tamper the prosecution evidence.

(vii) The application of applicant No.2 is rejected.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane