



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

ANTICIPATORY BAIL APPLICATION NO. 1011 OF 2025

NILESH RAJU DEORE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Shri Jadhav Satej S., Advocate for the Applicant.

Shri A.M. Phule, APP for the Respondents/State.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 28 July 2025

P. C. :-

1. Heard the learned Advocates for the parties.
2. The Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as the Applicant apprehends arrest.
3. The proceedings relate to Crime No.0104/2025. FIR is dated 20 May 2025 at 18:11 hours by the Deopur Police Station, District Dhule. Occurrence of offence is shown from 19 May 2025 to 20 May 2025. The offences alleged are under Sections 310(2) and 311 of the Bharatiya Nyaya Sanhita, 2023. There are three accused persons as named in the FIR, out of

them, accused No.3 is the present Applicant before the Court. The Informant is one Ramchandra Waman Ahire, aged 51 years.

4. From the FIR, it appears that on 19 May 2025 at 08:30 hours, the Informant was waiting for his friend below the bridge in front of Hotel Ruchi near Deopur Nagaonbari Choufuli and at that time, accused Nos.1 and 3 along with others demanded money from him for consumption of alcohol. When the Informant refused such demand, accused No.1 caught hold his both hands and accused No.3 forcibly took out Rs.1750/- from his pocket and also dealt a blow of iron rod on his head. It is further alleged that 04 to 05 persons with other accused persons beat the Informant by fists blows and abused him. It is in such circumstances that the complaint is lodged and the FIR is registered.

5. From bare perusal of the FIR, it appears to be very improbable if not impossible that such allegations are made against the present Applicant who would snatch Rs.1750/- from the pocket and then beat the Informant with an iron rod. This seems to be highly exaggerated as the learned Advocate for the Applicant has placed on record the income tax returns of the

Applicant for Assessment Year 2023-2024 where, total income of this Applicant is shown as Rs.4,92,990/- and the income tax return for Assessment Year 2024-2025, where total income is shown as Rs.6,08,150/-. The Applicant runs dairy and is also involved in construction business as stated in the Application. It is submitted that the Applicant is honest tax payer, which is evident from the Income Tax returns filed by him.

6. According to the learned APP, the role of the Applicant is serious inasmuch as he has used an iron rod to inflict injuries on the Informant. However, the injury certificate as pointed out by the prosecution would show the nature of injury as simple. This is how there is contradiction in the complaint of the Informant on the basis of which the FIR is registered. The learned APP would submit that recovery is also to be effected.

7. The learned Advocate for the Applicant submits that the Applicant would not flee from justice. He would not tamper or influence the witnesses. He undertakes to cooperate with the investigation. In such backdrop, the apprehension of the prosecution can be taken care of by imposing suitable conditions

in the order as set out below. He has no criminal antecedents and his custodial interrogation is not warranted.

8. In my view, considering the factual conspectus in the present case as noted above, custodial interrogation of the Applicant would not serve any purpose. Thus, on both the grounds of *prima facie* case and custodial interrogation, the Applicant has made out a case for grant of anticipatory bail. Hence, the following order would meet the ends of justice:-

ORDER

(i) In the event of arrest of the Applicant in connection with C.R. No.0104/2025 registered with Deopur Police Station, Dist. Dhule for the offences punishable under Sections 310(2) and 311 of the Bhartiya Nyay Sanhita, 2023, the Applicant is directed to be released on bail on furnishing PR bond in the sum of Rs. 30,000 (Rupees Thirty Thousand Only) with one solvent surety in the like amount.

(ii) The Applicant shall attend the concerned Police Station as and when required till the filing of the charge sheet. He is further directed to co-operate in the investigation.

(iii) 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.

(iv) The Applicant shall not leave the jurisdiction of the Court without prior permission of the Court subject to further orders/ until filing of the charge sheet.

(v) The Applicant shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

9. **The Anticipatory Bail Application is allowed in the above terms.** However, it is made clear that the observations made in this order are *prima facie* in nature for the purpose of adjudication of this application.

kps

(ADVAIT M. SETHNA, J.)