



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

927 ANTICIPATORY BAIL APPLICATION NO. 1021 OF 2025

1. Dnyaneshwar Narayan Wayal,
Age: 50 yrs, Occ. - Farmer,
R/o. Pangari (Bk) Tq. Mantha Dist. Jalna,
Presently residing at Chaudhari Nagar,
Potdar School backside Jalna Dist. Jalna.

2. Vaijinath Narayan Wayal,
Age: 48 yrs, Occ. - Farmer,
R/o. Pangari (Bk) Tq. Mantha Dist. Jalna.

...Applicants

VERSUS

The State of Maharashtra

.....Respondent

.....

Mr. Bayas Anandsingh Sangramsingh, Advocate for the Applicants
Mr. B. B. Bhise, APP for the Respondents - State

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CORAM : NEERAJ P. DHOTE, J.

DATE : 16.10.2025

PER COURT :

1. Heard the learned Advocate for the Applicants and the learned APP for the Respondents – State. Perused the papers on record.

2. The Crime bearing No.0194/2025 came to be registered with Mantha Police Station, District Jalna, for the offences punishable under Sections 74, 119(1), 115(2), 118(1), 189(2), 190, 191(2), 238, 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023, at the instance of Suraj Wayal that, on 08/04/2025, he was assaulted by the FIR-named accused, including the Applicants and was also robbed of Rs.48000/- and gold rings. Due to the assault, the Informant was hospitalized and his statement was recorded.

3. It is submitted by the learned Advocate for the Applicants that, out of the political rivalry arising from the Gram Panchayat elections, the Applicants are falsely implicated. He further submits that, the chronology has been given in the Application, showing the dates of events, which go to show the false implications of the Applicants. He submits that, the Applicants are ready to abide by any conditions and the Application be allowed.

4. The Application is opposed by the learned APP. He submits that, the medical papers show that, the Informant suffered injuries, for which he was hospitalized. The custody of the Applicants is necessary, as the weapons used in the incident and valuables are yet to be recovered. There are criminal antecedents to Applicant No.1 – Dnyaneshwar Narayan Wayal, and therefore, Application be rejected.

5. The papers indicate that, the wife of Applicant No.2 had lodged one report on 10/04/2025 regarding the incident dated 08/04/2025 against the Informant and others, and Crime came to be registered vide Crime No.193/2025 with the same Police Station, for the offences punishable under Sections 118(1), 74, 119(1), 352, 351(2), 351(3), 189, 190, 333 and 238 of the Bharatiya Nyaya Sanhita, 2023. The present FIR appears to have lodged out of the same incident dated 08/04/2025, wherein, the Informant has named the Applicants as the assaulters. This indicate that, the incident took place.

The role attributed to Applicant No.1 is that of assaulting the Informant on the head by an iron rod. Further, the role of removing the valuables is also attributed to Applicant No.1. The medical certificate shows that, the Informant suffered the injury in the head. The endorsement on the communication from concerned Police Station by the Medical Officer show that, on 09/04/2025, the patient was not fit to give statement, and the patient was found fit to give statement on 10/04/2025. The said version of the Informant is corroborated by the medical papers. The role attributed to Applicant No.2 is that, he snatched the mobile phone from the hands of the Informant, damaged the same and bite on the left hand of witness – Ashok. The report shows that, Applicant No.1 is having criminal antecedents. The report also indicate that, for the recovery of weapons used, the valuables, and for further investigation, the custody of the Applicants is required. Considering the nature of offence, in my view, this is not a fit case for grant of Anticipatory Bail. Hence, the following order :

ORDER

. Anticipatory Bail Application is rejected.

[NEERAJ P. DHOTE, J.]

Sameer/October-2025