



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

920 ANTICIPATORY BAIL APPLICATION NO. 1058 OF 2025

1. Ganesh s/o Sonyabapu Hardas,
Age: 40 yrs, Occ. - Agriculture,
R/o: Wadule (Bk) Taluka Shevgaon,
District : Ahmednagar.

2. Dnyaneshwar s/o Sonyabapu Hardas,
Age: 35 years, Occu: Agriculture,
R/o: Wadule (Bk) Taluka Shevgaon,
District : Ahmednagar.

...Applicants

VERSUS

The State of Maharashtra and others

.....Respondents

.....
Mr. Kakade Amol Narhari a/w Mr. Ganesh P. Darandale, Advocate for the
Applicants

Mr. M. K. Goyanka, APP for the Respondents - State

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CORAM : NEERAJ P. DHOTE, J.

DATE : 25.09.2025

PER COURT :

1. Heard the learned Advocate for the Applicants and the learned
APP for the Respondents – State.

2. According to the learned Advocate for the Applicants, Applicant
No.2, namely, Dnyaneshwar s/o Sonyabapu Hardas, came to be arrested
during the pendency of this Application, and therefore, the Application to the
extent of Applicant No.2 has become infructuous.

3. Applicant No.1, namely, Ganesh s/o Sonyabapu Hardas is apprehending arrest at the hands of Shevgaon Police Station, District Ahilyanagar, in Crime No.0539/2023, registered for the offence punishable under Sections 323, 324, 354, 395, 447 read Section 34 of the Indian Penal Code, 1860 [hereinafter referred to as 'IPC'], and therefore, this Application is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for Anticipatory Bail.

4. The aforesaid Crime is registered at the instance of the victim, who is distantly related to the Applicants. It the case of the Prosecution that, on account of cutting the grass on the boundaries of the agricultural fields of the family of Applicants and the family of the first Informant, the quarrel took place between the two families. The quarrel turned violent. The first Informant was beaten by the FIR named accused persons by hands and sticks. The Applicant No.1 and Applicant No.2 outraged the modesty of the first Informant by pressing her chest. The first Informant approached the concerned Police Station, from where, she was referred for medical examination. The said Crime came to be registered on 20/06/2023 pursuant to the directions by the concerned Magistrate.

5. Out of the same incident, the wife of Applicant No.2 has lodged the report, upon which, the Crime bearing No.0531/2022 came to be registered against the first Informant and her family members for the offence

punishable under Sections 143, 147, 149, 323, 324, 504 and Section 506 of IPC. The said FIR is registered on the same day of the incident. According to the Prosecution, since the concerned Police Station refused to accept the report of the first Informant, she had to approach the High Officers, and thereafter this Court for appropriate directions. The proceedings before this Court were withdrawn, and the Informant approached the concerned Magistrate, in which an inquiry was directed. Pursuant thereto, there is a considerable delay in registration of the present Crime.

6. The papers made available by the learned APP show that, the first report by the Informant, which is a typed one, was given to the Shevgaon Police Station on 01/08/2022, i.e. one day after the incident. A copy of the order dated 14/07/2025, by which Applicant No.2 is granted regular bail by the learned Sessions Court, shows that, vide report dated 05/03/2025, Sections 395 read with Section 34 of IPC is deleted / dropped. The reason for the same is not known. True it is that the injury certificate of the first Informant shows trauma to her breast, however, the allegations are of assault by in all five [05] accused persons. From all these aspects and considering the strained relations between both the sides, the exaggerated version in respect of outraging the modesty cannot be ruled out. The stick used in the incident is recovered during the course of investigation. Nothing is to be recovered at the instance of Applicant No.1. In the backdrop of all these aspects, I proceed to pass the following order:

ORDER

- [I] Anticipatory Bail Application is hereby allowed to the extent of Applicant No.1 - Ganesh s/o Sonyabapu Hardas.
- [II] In the event of arrest of Applicant No.1, namely, Ganesh s/o Sonyabapu Hardas, in connection with Crime No.0539/2023, registered with Shevgaon Police Station, District Ahilyanagar, for the offence punishable under Sections 323, 324, 354, 395, 447 read Section 34 of the Indian Penal Code, 1860, he be released on bail on his furnishing P.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount, on the following condition:
- [a] The Applicant No.1 shall attend the concerned Police Station once in a week, i.e., every Saturday between 12:00 p.m. to 02:00 p.m, till the charge-sheet is filed.
- [III] Anticipatory Bail Application to the extent of Applicant No.2, namely, Dnyaneshwar s/o Sonyabapu Hardas stands disposed off as become infructuous.
- [IV] Anticipatory Bail Application is disposed of accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/September-2025