



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1128 OF 2025

Sachin Baburao Borde (Borade In FIR)

VERSUS

The State Of Maharashtra And Another

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- Mr. A. B. Ghule, Advocate for Applicant
- Mr. K. N. Lokhande, APP for Respondents - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 08.12.2025

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 566 of 2024, dated 05.09.2024, registered with Taluka Jalna Police Station, District Jalna, for the offences punishable under Sections 3(5), 118(1), and 115(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the applicant assaulted the complainant, Babasaheb Dhokle, with an iron rod, as he had tried to intervene in the quarrel between the the present applicant, Sachin and one Ranganath Anpat.

4. Learned counsel for the applicant submits that although the applicant is alleged to have assaulted the complainant by means of an iron rod, on the head and back. There is no injury sustained by the complainant on any vital part. The assault on the vital part, i.e., the ear of the complainant, is attributed to the co-accused – Vishal. It is further submitted that the applicant has no criminal antecedents and is ready to abide by all the conditions imposed by this Court. Hence, he seeks grant of anticipatory bail.

5. As against this, the learned APP vehemently opposes the application and submits that the applicant is seen assaulting the complainant by means of an iron rod and that the applicant, along with the co-accused – Vishal, is absconding since the date of registration of the offence. There are eye-witnesses namely Ranganath Anpat and Laxman Aher, who have witnessed the incident, which supports the allegations against the present applicant. It is therefore submitted that this is not a fit case for grant of anticipatory bail and that there is every likelihood of the applicant committing another cognizable offence if released on bail.

6. I have perused the investigation papers made available by the learned APP. The record indicates that the complainant has sustained only simple injuries. Surprisingly, the injury allegedly caused by the applicant on the injured by means of an iron rod on the head of the

complainant does not find mention in the medical report. Thus, creating a doubt about assault by applicant, the injury to the ear, appearing in medical certificate, is attributed to the co-accused – Vishal, who is also absconding. The observations made herein are prima facie in nature and are made only with the purpose of deciding the present application. Considering that the applicant has no criminal antecedents and is willing to comply with any conditions imposed by this Court, the apprehensions raised by the learned APP can be adequately addressed by imposing stringent conditions. Hence, the following order:-

ORDER

- i. In the event of arrest of the applicant – Sachin Baburao Borde (Borade in FIR), he shall be released on bail on furnishing a PR. bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, in connection with FIR No. 566 of 2024, dated 05.09.2024, registered with Taluka Jalna Police Station, District Jalna, for the offences punishable under Sections 3(5), 118(1), and 115(2) of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:-

- A) The applicant shall attend the concerned police station and report to the Investigating Officer on every Thursday and Friday between 12.00 noon and 02.00 p.m., till filing of the charge-sheet.

- B) The applicant shall not enter village Kachrewadi till filing of the charge-sheet.
- C) The Applicant shall also cooperate with the investigation.
- D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- E) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

7. The attendance of the applicant shall be treated as deemed custody for the purposes of Section 23 of the Bharatiya Sakshya Adhiniyam.

8. Needless to say that violation of any of the above conditions or involvement of the applicant in any other cognizable offence shall entitle the prosecution to seek cancellation of bail.

9. The Anticipatory Bail Application is disposed of accordingly.

(MEHROZ K. PATHAN, J.)