



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1183 OF 2025

Dhiraj Atmaram Chavan

... Applicant

Versus

The State of Maharashtra

... Respondent

.....

Mr. S. B. Dushing, Advocate for the Applicant.
Mr. S. M. Ganachari, APP for Respondent-State.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 21.08.2025

Pronounced on : 22.08.2025

ORDER :

1. This is a pre arrest bail application, apprehending arrest in Crime No. 0016 of 2025 registered at Pathardi Police Station, District Ahmednagar for offence under Sections 109, 189(2), 190, 191(2), 191(3), 118(1), 118(2), 115(2), 352, 351(2) of BNS and Sections 3/25 and 4/25 of the Arms Act.

2. Alleging false implication, learned counsel submitted that, initially crime was registered only against five persons. Subsequently, few more are added. There are allegations that, on 31.12.2024 at around 09.00 p.m., in the hotel, gun was pointed as well as injury was inflicted by means of chopper. Learned counsel submitted that, injury inflicted by chopper is to the hand. That, injury is simple in

nature. That, three accused are already granted bail. That, applicant is ready to co-operate. Nothing is to be recovered from him and hence, relief is urged for.

3. While opposing the bail application, learned APP pointed out that, applicant is shown as accused no.2 and he is specifically named in the FIR. Role attributed to him is of using chopper. That, applicant is absconding since the occurrence dated 31.12.2024 and for effective investigation and its conclusion, learned APP prays to reject the application. Learned APP also invited attention of this Court to the ruling of Hon'ble Apex Court referred by learned trial court in its order and would emphasize that here also, as applicant is absconding, he is not entitled for grant of anticipatory bail.

4. Heard. Perused the FIR. As submitted, present applicant is shown as accused no.2. One Omprakash Rathod lodged report (i.e. while admitted in the hospital) that, on 31.12.2024 while he was in company of Vaibhav Jadhav and Yogesh Rathod, and while they were taking dinner at hotel Durga around 09.00 p.m., Roham Sanjay Chavan, Dhiraj Atmaram Chavan (present applicant), Pravin Rathod, Santosh Shirsat and Abhijit Konge along with four to five unknown persons came there and as regards to present applicant is concerned,

it is alleged that he hit chopper on the hand of informant and inflicted injury. Medical certificate shows that informant has suffered four contused lacerated wounds on head, forearm, elbow and tibia. Head injury is reported to be grievous in nature. Taking the nature of allegations into consideration and nature of article put to use, applicant does not deserve relief of anticipatory bail. Though, accused Santosh and Abhishek are granted anticipatory bail, they allegedly used sticks, whereas, Roham has succeeded in getting regular bail and not anticipatory bail. Thus, for effective investigation, application as prayed deserves to be rejected. Hence, following order :

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]