



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1330 OF 2025

1. Kalyan @ Sonu s/o Ashok Tribhuvan
2. Bharat s/o Ashok Tribhuvan ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. P. D. Dikle, Advocate for the Applicants.
Mrs. D. S. Jape, APP for the Respondent-State
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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 18.08.2025

Pronounced on : 20.08.2025

ORDER :

1. Applicants, who apprehend arrest in crime no. 180 of 2025 registered at Kannad City Police Station, District Aurangabad for offence under Sections 118(1), 118(2) 115(2), 352 and 3(5) of BNS, have pressed instant Anticipatory Bail Application into service.

2. According to learned counsel, there is false implication. There is obviously inordinate delay in reporting occurrence and as such, there is possibility of concocted version being reported. There is no eye witness. Moreover, complainant himself has bad antecedents and

there are externment orders against him. In the instant FIR, there are allegations of assaulting on the jaw. That, applicant is ready to co-operate with the investigating machinery and hence, relief is urged for.

3. Learned APP strongly opposed on the ground that, applicant is named. That, on petty count of serving food, there is use of iron rod in assaulting informant. Injury certificate is placed on record. There are statements of witnesses. Thus, for effective investigation, she prays to dismiss the application.

4. Heard. Perused the FIR dated 21.06.2025. As submitted, FIR is regarding occurrence dated 05.05.2025, wherein, informant Nikhil has reported that, on 05.05.2025, he visited Sai Seva Hotel to take dinner at 12.30 a.m. According to him, he kept on waiting for dinner to be served, at that time some quarrel was going on between hotel owner and his brother, and all of a sudden, for no reason, after abuse to complainant, present applicant Kalyan gave blow of iron rod on his jaw, whereas, applicant Bharat threw cooked meals on his face and gave him kicks and fist blows. He reported that, he visited Challni hospital Kannad and was took treatment and thereafter took treatment at Hedgewar hospital for sixteen days from 06.05.2025. For

above reasons, he could not lodge prompt report and hence he lodged report on 21.06.2025. Learned APP has placed police papers on record. Statements of witnesses are also recorded, but on 22.06.2025. Akash Sure and his friend, Akash Masre, gave statements that after the incident, they took complainant to Challani Hospital. Injury certificate is placed on record, which shows that informant Nikhil has suffered two fracture injuries i.e. displaced mandible and nasal bone. Therefore, *prima facie*, injuries are grievous in nature. Incident seems to have taken place all of a sudden. At least in the FIR, no specific reason is attributed for assaulting informant. The very genesis of the occurrence is also not clear. In the light of above discussion following order is passed.

ORDER

- I. The application is allowed.
- II. In the event of arrest of the applicants in connection with crime No. 180 of 2025 registered at Kannad City Police Station, District Aurangabad Rural for offence under Sections 118(1), 118(2) 115(2), 352 and 3(5) of BNS, they shall be released on executing P.B. and S.B. of Rs.15,000/- by each of them, with one surety by each of them in the like amount.

III. The applicants shall attend the concerned Police Station as and when called by the Investigating Officer till filing of the charge sheet and co-operate in the investigation.

[ABHAY S. WAGHWASE, J.]

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