



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

ANTICIPATORY BAIL APPLICATION NO. 1381 OF 2025

**1. ISHWAR LAXMAN DHANWE
2. BALU ANGAD DHANWE**

VERSUS

**THE STATE OF MAHARASHTRA AND ANOTHER
WITH
CRIMINAL APPLICATION NO. 4218 OF 2025
IN ABA/1381/2025**

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Advocate for Applicant : Mr. M.S. Karad

APP for Respondents/State : Mr. P.D. Patil

Advocate for Applicant in Cri.Appln.-4218/2025:
Mr. Thorat Nanabhau R.

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CORAM : MEHROZ K. PATHAN, J.

DATE : 1st DECEMBER 2025

PER COURT :

1. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.73/2025 registered with Peth Beed Police Station, Taluka and District Beed for the offences punishable under Sections 109, 115(2), 118(2), 333, 351(2), 352, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 and Sections 4, 25 of the Arms Act.

2. At the outset, the learned Counsel Mr. Karad for the Applicants seeks permission to withdraw the application to the extent of Applicant No.2/Balu Angad Dhanwe, as this Court was not

inclined to grant anticipatory bail to Applicant No.2/Balu Dhanwe in view of the several criminal antecedents on record.

3. Permission is granted. The application is disposed of as withdrawn to the extent of Applicant No.2/Balu Angad Dhanwe.

4. Insofar as the Applicant No.1/Ishwar Laxman Dhanwe is concerned, the learned Counsel for the Applicants submits that role of the Applicant No.1 is identical to that of accused Rakesh Dhanwe who has been granted anticipatory bail by this Court vide order dated 02.05.2025. He further submits that the investigation is already complete and the charge-sheet is filed, thus there is no necessity for custodial interrogation of the Applicant No.1. The weapons are already recovered by other arrested accused persons and as such the looking to the role of the Applicant No.1, the custodial interrogation of the Applicant No.1 may not be necessary and he can be protected in light of the anticipatory bail order granted in favour of accused Rakesh Dhanwe and Ajay Jawale, who stand on the same footing.

5. The learned Counsel for the informant Mr. Thorat alongwith the learned APP strongly oppose the present application on the ground that the earlier application of the Applicants -Ishwar as well as Balu is already withdrawn by the Applicants, as per the order dated 02.05.2025 passed in ABA No.621/2025.

. It is their submission that the injury caused to the informant was grievous in nature and there were other injured persons

Ratnamala Pawale, Pralhad Pawale and Aasha Pawale who were also assaulted during the incident. The role of the Applicant No.1/Ishwar Dhanwe is therefore clearly made out. The Applicant No.1/Ishar Dhanwe is alleged to have used fist and kick blows to assault the complainant and the other family members and as such this is not a fit case to grant anticipatory bail as the Applicant No.1 is likely to commit again offences of like nature. The application may be therefore rejected.

6. I have gone through the charge-sheet placed on record by the learned Counsel for the Applicants and also the order dated 02.05.2025 passed by this Court in ABA No.621/2025 and the injury certificate of informant Lahu Pawale and other family members. The perusal of the FIR as well as the statements of the witnesses recorded by the prosecution, shows that the Applicant No.1/Ishwar Dhanwe was also attributed the role of hitting the complainant with fist and kick blows as like accused Rakesh and Ajay who were attributed the same role. The perusal of the order dated 02.05.2025 would show that this Court has imposed certain conditions and released the Applicants therein Rakesh and Ajay on anticipatory bail.

. Insofar as the Applicant No.2 is concerned, it is seen that there are several criminal antecedents as against him and hence this Court was not inclined to grant any relief and the learned Counsel has already withdrawn the application to the extent of Applicant No.2. However looking to the fact that the Applicant No.1/Ishwar Dhanwe is attributed the same role as that of accused Rakesh and

Ajay Jawale and that there are no criminal antecedents as against the Applicant No.1/Ishwar Dhanwe and also taking into consideration that the accused Parmeshwar Dhanwe, Raju Dhanwe, and Yogesh Jawale are already arrested, and the weapons have been recovered from accused Parmeshwar Dhanwe and Rakesh Dhanwe and the necessary seizures have also been effected from the arrested accused. I am inclined to grant protection to the Applicant No.1/Ishwar Dhanwe on the ground of parity as this Court has already protected accused Rakesh Dhanwe and Ajay Jawale vide order dated 02.05.2025 in ABA No.621/2025, however on following terms and conditions. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant No.1 - Ishwar Laxman Dhanwe in connection with Crime No.73/2025 registered with Peth Beed Police Station, Taluka and District Beed for the offences punishable under Sections 109, 115(2), 118(2), 333, 351(2), 352, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 and Sections 4, 25 of the Arms Act, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) Applicant No.1 shall attend the concerned police station on Friday and Saturday of every week till the filing of the supplementary charge-sheet if any as against the Applicant No.1.

(b) Applicant No.1/Ishwar Laxman Dhanwe shall not enter the jurisdiction of Peth Beed Police Station, Beed, until framing of the

charge, except when called by the Investigating Officer for attendance.

(c) Applicant No.1 shall not tamper with the prosecution evidence and shall not influence the witnesses.

(ii) The application is allowed in the above terms and stands disposed of.

(iii) The criminal application for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE

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