



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1133 OF 2025
WITH
CRIMINAL APPLICATION NO. 3305 OF 2025
IN ABA/1133/2025

1. Sandeep Vijay Waghmare,
2. Sajeed Bhikan Shaikh ... Applicants

Versus

The State of Maharashtra,
Through Veergaon Police Station,
Tq. Vaijapur, Dist. Aurangabad. ... Respondent

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Mr. N. D. Sonavane, Advocate for Applicants.
Mr. S. S. Dande, APP for Respondent – State.
Mr. S. P. Nimbalkar, Advocate for Applicant – original complainant in
APPLN/3305/2025

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 20 AUGUST 2025

ORDER :

1. Instant application is pre-arrest bail application apprehending arrest in Crime No.0169 of 2025 registered with Veergaon Police Station, District Chhatrapati Sambhajinagar for the offences punishable under sections 119, 118(1), 115(2), 352, 324(4), 189, 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita and under section 3/25 of the Arms Act.

2. Criminal Application No.3305 of 2025 is allowed. The original complainant is permitted to assist the learned A.P.P.

3. Learned counsel for applicants submitted that, there is false implication on exaggerated version. That, no incidence as alleged had taken place. That, as many as 38 persons are named. That, general allegations are levelled about assault. Except applicant Sandeep and Sajeed, none of them has been identified. That, false allegations of forcibly taking away gold ornaments and cash are reported at a belated stage i.e. even when alleged occurrence is of 30.05.2025, report is lodged on 31.05.2025. Considering the nature of allegations, no recovery or discovery is to be made and as applicants are ready to co-operate with the investigating machinery, learned counsel urges for relief of anticipatory bail.

4. Learned APP as well as learned counsel for complainant, have strongly opposed on the ground that serious offence is committed. That, there are allegations of pointing gun. That, moreover 11 cases are pending against accused. Learned APP took this court through the injury certificates of injured and would submit that, grievous injuries are suffered. That, recovery is yet to be effected and hence for all above reasons, they both have strongly opposed grant of anticipatory bail application.

5. After hearing above submissions and on going through the FIR dated 31.05.2025 at the instance of Dnyaneshwar Ugale, its

substance is that, his cousin brother Ganesh Ugale and uncle Govind Ugale were hit by means of slingshot on 12.11.2024 i.e. by Sandeep and Sajeed i.e. present applicants as they intended transport sand from the banks of river Godawari. Report to this extent was lodged by Ganesh, as a result of which Sandeep and his associates were arrested by police, but were said to be on bail. It is further reported that on 30.05.2025, Sandeep, Sajeed and other 40 boys came, they damaged truck belonging to Ganesh and while Sajeed was attempting to take away tractor and was prevented by labour Bhaurao Nikam, it is alleged that, Bhaurao was assaulted by means of iron rod by Sajeed. While Sajeed was trying to take away the tractor, he was prevented and thereafter Sandeep, who was on a lookout for Ganesh, went towards his house, forced entry and it is alleged that, Sandeep Waghmare pointed gun on wife of Ganesh questioning his whereabouts and it is alleged that gold ornaments and cash Rs.2,00,000/- were also taken away and all above persons fled on two wheeler vehicle. On above report, crime seems to have been registered.

6. Therefore, as regards to present applicant Sandeep is concerned, he was said to be armed with gun. Whereas, present applicant no.2 Sajeed had allegedly hit iron rod on Bhaurao. Learned APP on court query submitted that injuries suffered by Bhaurao is simple in nature.

7. In the light of above, Sandeep is not entitled for any relief. However, in view of the role attributed to Sajeed, he deserves protection. Hence, the following order is passed :

ORDER

- (i) Anticipatory Bail Application is partly allowed.
- (ii) Anticipatory Bail Application as regards to applicant no.1 Sandeep Vijay Waghmare is dismissed.
- (iii) Anticipatory Bail Application as regards to applicant no.2 Sajeed Bhikan Shaikh is allowed.
- (iv) In the event of arrest of applicant no.2 - Sajeed Bhikan Shaikh in connection with Crime No. 0169 of 2025 registered with Veergaon Police Station police station, District Chhatrapati Sambhajanagar for the offences punishable under sections 119, 118(1), 115(2), 352, 324(4), 189, 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita and under section 3/25 of the Arms Act, he shall be released on executing P.B. and S.B. of Rs.20,000/- with one surety in the like amount.
- (v) The applicant no.2 shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (vi) The applicant no.2 shall furnish details of residential address and other contact details such as the mobile number etc. to

the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.

- (vii) The applicant no.2 shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(ABHAY S. WAGHWASE, J.)