



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

966 ANTICIPATORY BAIL APPLICATION NO. 1508 OF 2025

1. Rajnotsingh s/o Jagindarsingh Sukhai,
Age: 29 yrs, Occ. - Private Job,
R/o. Gurudwara Gate No.5,
Nanded, Tq. & Dist. Nanded.

...Applicant

VERSUS

The State of Maharashtra and Another

..... Respondents

.....
Mr. S. S. Gangakhedkar, Advocate for the Applicant
Mr. S. K. Shirse, APP for the Respondents - State

.....
CORAM : NEERAJ P. DHOTE, J.
DATE : 10.09.2025

PER COURT :

1. Heard the learned Advocate for the Applicant and the learned APP for the Respondent – State. Perused the papers on record.

2. Since the Applicant is apprehending arrest in Crime No.115/2025 registered with Vazirabad Police Station, District Nanded, for the offence punishable under Sections 118(2), 352, 115 and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4/25 of the Indian Arms Act, 1959, this Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is filed.

3. It is the case of Prosecution that, the FIR named Accused assaulted the first Informant and his son on 15/03/2025 on the day of Holi due to previous rivalry and the Applicant was present on the spot and he assisted the Co-accused in commission of Crime.

4. The learned Advocate for the Applicant submits that, the main Accused Nos.1 and 2, who are named in the FIR and to whom the role of assault by deadly weapons is attributed, came to be arrested and released on Bail. The Applicant is nowhere mentioned in the FIR. The Applicant's name surfaced for the first time after three [03] days, in the statement of one injured witness - Arvindsingh Rajendrasingh Pujari, wherein no role of assault is attributed to the Applicant. He submits that, in this view of the matter, the Applicant deserves to be protected and the Application be allowed.

5. The Application is opposed by the learned APP. He submits that, deadly weapons were used in the assault and grievous injuries were caused to the injured witnesses. The Applicant is having criminal past and four [04] offences are registered against him. Therefore, the Application be rejected.

6. Admittedly, in the First Information Report, the Applicant is not named. The Applicant's name surfaced for the first time in the statement of witness - Arvindsingh Rajendrasingh Pujari, which is recorded on 19/03/2025 i.e. 3rd day from the incident. In the First Information Report, though the Informant mentions the names of two eyewitnesses, the name of said eyewitness - Arvindsingh Rajendrasingh Pujari is absent. Even in the statement of said - Arvindsingh Rajendrasingh Pujari, no role of assault by any weapon is attributed to the Applicant. The weapons are seized by the Police. The main Accused are granted bail. Considering the above-referred aspects, merely because there are earlier offences registered against the Applicant, it would not be proper to reject the Application. Hence, the following order :

ORDER

- [I] Anticipatory Bail Application is hereby allowed.
- [II] In the event of arrest of the Applicant, namely, Rajnotsingh s/o Jagindarsingh Sukhai, in connection with Crime No.115/2025 registered with Vazirabad Police Station, District Nanded, for the offence punishable under Sections 118(2), 352, 115 and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4/25 of the Indian Arms Act, 1959, he shall be released on bail on his furnishing P.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount.
- [III] The Applicant shall co-operate with the Investigating Machinery.
- [IV] The Anticipatory Bail Application is accordingly disposed off.

[NEERAJ P. DHOTE, J.]

Sameer/September-2025