



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

ANTICIPATORY BAIL APPLICATION NO. 1627 OF 2025

1. MAHAJAN S/O DHANSINGH BAHURE
2. DHAWALABAI W/O MAHAJAN BAHURE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Aadil A. Shaikh h/f
Mr. Gore Ravindra Vitthal

Addl.PP for Respondent/State : Mr. A.S. Shinde

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CORAM : MEHROZ K. PATHAN, J.

Dated : 11th November 2025

PER COURT :

1. The Applicants have approached this Court seeking anticipatory bail in connection with Crime No.191/2025 registered at Pachod Police Station, District Chhatrapati Sambhajinagar, for offences punishable under Sections 109, 115(2), 118(1), 189(2), 190, 191(2), 191(3), 351(3), and 352 of the Bharatiya Nyaya Sanhita, 2023. The Applicants are named in the FIR as assailants alleged to have assaulted the complainant, Kavita.

2. The case of the prosecution is that in the night of 19.05.2025 the Informant and her son were assaulted by the accused persons. According to the Informant, she was assaulted by Stick, hands and fists and the other co-accused Latabai and Zubarbai caught hold her and Harsing and Dhiraj opened her mouth and

administered the poison so as to kill her. The Informant raised alarm. Her relatives reached the spot and the Applicants left the spot by giving threat. On the statement recorded by the Informant, the aforesaid crime came to be registered.

3. The learned Counsel for the Applicants submits that all other accused persons except the Applicants, are already released on anticipatory bail by this Court vide order dated 09.10.2025. He therefore submits that he is seeking parity with all other accused persons who have been released on the ground that the MLC information of the District Hospital, recorded at the time of admitting the victim, notes a history of suicide by consumption of an unknown compound. The copy of the order dated 09.10.2025 is presented at the bar and the same is taken on record and marked 'X' for identification.

4. The learned APP is not in a position to deny the order of bail granted by this Court to all other accused persons noting down the history of suicide in the MLC book maintained by the District Hospital.

5. After going through the record and the allegations in the FIR as well as the order dated 09.10.2025 passed by this Court, it is seen that accused Harsing Bahure and Dhiraj Bahure along with other accused persons are already released by observing as under :

“Though the incident is dated 19.05.2025, the Report is lodged on

24.05.2025. Though the role of assault by all the Applicants and the co-accused is attributed, the Injury Certificate issued by the District Hospital, Chhatrapati Sambhajnagar shows three (3) simple injuries on the Informant. The MLC information of the District Hospital dated 19.05.2025, which is the date of incident, shows alleged history of suicidal by unknown compound and the consumption. The FIR shows that, both the sides are in dispute in respect of the agricultural land. It is clear that there is exaggeration in the FIR and the possibility of the false implication cannot be ruled out.”

6. After going through the FIR, more serious allegation against Harsing Bahure and Dhiraj Bahure of administering poison is attributed and they are released on anticipatory bail vide order mentioned above. Hence in my opinion the case for exercise of discretion under Section 482 of Bharatiya Nagarik Suraksha Sanhita is made out. Hence the following order :

ORDER

- (i) The Application is allowed.
- (ii) In the event of arrest of the Applicants – Mahajan Dhansingh Bahure and Dhawalabai Mahajan Bahure, in connection with Crime No.191/2025 registered with Pachod Police Station, District Chhatrapati Sambhajnagar, they be released on bail on furnishing P.B. of Rs.15,000/- (Rupees Fifteen Thousands) each, with one or two surety/sureties in the like amount.
- (iii) The Applicant shall attend the concerned Police Station as and when called.

(iv) The Applicants shall not tamper the evidence of the Prosecution in any manner.

(v) The Applicants shall cooperate with the investigating machinery.

(vi) Bail before the Trial Court.

(vii) The Application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE

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