



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1640 OF 2025

Kishor Ashok Bhujadi And Another

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....

Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondents: Mr. A.A. Khan.

CORAM : MEHROZ K. PATHAN, J.

DATE : 11TH DECEMBER, 2025.

P.C. :-

1. After hearing for some time, learned counsel Mr. Karpe, appearing for the applicant, seeks liberty to withdraw the application in so far as applicant Kishor Bhujadi is concerned. The application stands disposed of as withdrawn as regards applicant No.1.

2. In so far as applicant No.2 Atul is concerned, the learned counsel for the applicant submits that the applicants have filed an FIR prior to present FIR No. 826 of 2025 at the behest of Yogita wife of applicant No.1 on 26.7.2025 alleging assault at the behest of one Ashok, the husband of Yogita i.e. applicant No.1. The said FIR is registered as FIR No. 823 of 2025 dated 26.7.2025.

3. Present FIR No. 826 of 2025 is dated 27.7.2025. He, further submits that there is another FIR bearing No. 1057 of 2025 registered at the behest of Yogita against accused persons for outraging the modesty and thus, there is a chequered history of the disputes between the family

members of the applicants and the complainant. He further submits that the applicant no.2 is ready to abide by any conditions that may be imposed by this Court. He, therefore, submits that the applicant No.2 may be released on bail.

3. As against this, the learned APP and the learned counsel for the complainant who has filed an application for permission to assist the prosecution, vehemently oppose the present application. It is submitted that the applicants are neighbours/adjacent land owners and residing in the same village i.e. Musalwadi, Taluka Rahuri, Dist. Ahmednagar. Hence, there is every likelihood that the applicants, if released, may again indulge into cognizable offences and thereby may disturb the peace and tranquility of the village. Hence, the applicant No.2 may not be released on bail.

4. I have gone through the allegations made in the FIR and the investigation papers made available by learned APP. Perusal of the injury certificate of the injured witness would show that injured Rajendra Bhujadi was immediately taken to the Rural Hospital, Rahuri for medical examination. There was no injury on chest which can be attributed to the applicant Atul in the FIR. The injury shown in the said certificate issued by Rural Hospital would show a contused lacerated wound on left side of the forehead which can be attributed to accused/applicant Kishor, who has already withdrawn his application, as this Court was not inclined to grant any relief to him. The injury certificate issued by Dr. Ravindra Waman of Omkar Hospital, Rahuri Factory, only shows that injury over the left frontal region, which is grievous and another injury i.e. blunt trauma over left side of chest, which is simple in nature. The certificate is dated 28.7.2025 i.e. after two days of the assault.

Thus, taking into consideration the said discrepancy, I am inclined to protect the applicant Atul. The apprehension of the learned APP and counsel for the complainant can be taken care of, by imposing stringent conditions. Hence, the following order.

O R D E R

[I] In the event of arrest of the applicant No.2, in connection with Crime No.0826 of 2025, registered on 27.7.2025 with Rahuri Police Station, District Ahilyanagar, for the offences under Sections 118(1), 115(2), 352, 351(2), 189(2), 191(1), 191(3), 190 of Bhartiya Nyaya Sanhita, 2023, the applicant No.2 Atul Ashok Bhujadi, be released on bail on furnishing PR Bond in the sum of Rs. 50,000/-, with one or more sureties in the like amount, on the following conditions :

[i] The applicant No.2 shall attend the concerned police station and report to the Investigating Officer(I.O.) on every Monday and Tuesday till framing of charge sheet and shall cooperate with the investigation.

[ii] The applicant No.2 shall not tamper with the prosecution evidence.

[iii] The applicant No.2 shall not enter the village Musalwadi, Taluka Rahuri till framing of charge.

[iv] The applicant No.2 shall submit his Aadhar and Pan card to the Investigating Officer and mobile number and addresses of two of his near relatives to the Investigating Officer.

[v] A single incident of violation of conditions or threatening the witnesses will entitle the prosecution to seek cancellation of bail.

[vi] Application stands disposed of.

[vii] The application for permission to assist APP bearing No.3771 of 2025 also stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-