



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1675 OF 2025

1. Rohan Bhausahab Kokate
2. Sharad Vishnu Kokate
VERSUS
The State Of Maharashtra

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- Mr. Y. A. Jadhav, Advocate for Applicants
- Mr. A. S. Shinde, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 03.12.2025

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicants have approached this Court apprehending arrest in connection with FIR No. 0858 of 2025 dated 03.08.2025, registered with Rahuri Police Station, District Ahilyanagar, for the offences punishable under Sections 115(2), 118(1), 189(2), 189(4), 190, 191(1), 191(3), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. At the outset, learned counsel for the applicants seeks liberty to withdraw the application insofar as Applicant No.2 – Sharad Vishnu Kokate, as this Court was not inclined to grant anticipatory bail to

applicant No.2. Leave is granted. The Anticipatory Bail Application stands dismissed as withdrawn to the extent of Applicant No.2 – Sharad Vishnu Kokate.

4. Insofar as Applicant No.1 – Rohan Bhausahab Kokate is concerned, learned counsel for the applicants submits that there are counter FIRs arising out of the same incident dated 03.08.2025. The present FIR bearing Crime No. 0858 of 2025 has been lodged by Gangadhar Kokate, alleging assault at the behest of the family members of applicant No.1 – Rohan Kokate. The counter FIR bearing Crime No. 0868 of 2025 has been lodged by Shobha Sharad Kokate, wife of applicant No.2 – Sharad Kokate, wherein serious allegations of assault have been made against Gangadhar Kokate, Navnath Kokate, Parigabai Kokate and Prajakta Kokate. It is submitted that in fact the complainant party had arrived at the house of the applicants and assaulted the applicant's family members, and therefore, the applicants had to exercise their right of private defence, during which the alleged injuries were caused.

5. It is further submitted that the injuries sustained are not grievous in nature, that applicant No.1 – Rohan Bhausahab Kokate has no criminal antecedents, and that he is ready and willing to comply with any conditions imposed by this Court.

6. As against this, Learned APP strongly opposes the application and submits that the offence is serious in nature as the accused are charged with voluntarily causing grievous hurt by dangerous weapons. It is submitted that applicant No.1 – Rohan Kokate assaulted injured Navnath Kokate and caused a head injury on a vital part of the body using an iron rod. It is further submitted that since the agricultural lands of the applicant and the complainant are adjacent, there is every likelihood of repetition of a similar offence if the applicant is released on bail.

7. I have carefully gone through the FIR bearing Crime No. 0858 of 2025 and the specific allegations against Applicant No.1 – Rohan Bhausahab Kokate. I have also perused the counter FIR bearing Crime No. 0868 of 2025, lodged by Shobha Sharad Kokate, wife of applicant No.2 – Sharad Vishnu Kokate, wherein the present complainant Gangadhar Kokate is shown as an accused along with Navnath Kokate, Parigabai Kokate and Prajakta Kokate. I have also perused the case diary and the investigation papers placed on record by the learned APP.

8. The injury certificate of Gangadhar Kokate shows that he has sustained one simple abrasion. The injury certificate of Navnath Kokate indicates a grievous injury on the shoulder joint, which is attributed to Applicant No.2 – Sharad Vishnu Kokate, whose

anticipatory bail application has already been withdrawn. The only injury attributed to Applicant No.1 – Rohan Bhausahab Kokate is a head injury allegedly caused on the right parietal region of the skull; however, the injury certificate issued by Wambori Rural Hospital records the said injury as simple in nature. In view of the counter allegations in the counter FIR and the nature of injuries attributed to applicant No. 1 – Rohan, I am inclined to grant anticipatory bail to Applicant No.1 – Rohan Bhausahab Kokate. The apprehensions raised by the prosecution can be addressed by imposing stringent conditions. Hence, the following order is passed :-

ORDER

- i. In the event of arrest of Applicant No.1 – Rohan Bhausahab Kokate, he shall be released on bail on furnishing a PR. bond of Rs.50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount, in connection with FIR No. 0858 of 2025 dated 03.08.2025, registered with Rahuri Police Station, District Ahilyanagar, for the offences punishable under Sections 115(2), 118(1), 189(2), 189(4), 190, 191(1), 191(3), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:-
 - A) The applicant shall attend the concerned Police Station and report to the Investigating Officer on every Monday and Tuesday between 10:30 a.m. and 01:30 p.m. till filing of the charge-sheet and thereafter as and when called.

- B) The Applicant shall also cooperate with the investigation.
 - C) The applicant shall not pressurize, threaten, or induce prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
 - D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.
9. Needless to say that violation of any of the above conditions or involvement of the applicant in any other cognizable offence shall entitle the prosecution to seek cancellation of bail.
10. The Anticipatory Bail Application is disposed of accordingly.

(MEHROZ K. PATHAN, J.)