



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

ANTICIPATORY BAIL APPLICATION NO. 1685 OF 2025

**KIRAN MADHUKAR HATOLE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Harshal Prakash Randhir

APP for Respondents/State : Mr. R.K. Ingole

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CORAM : MEHROZ K. PATHAN, J.

DATE : 15th DECEMBER 2025

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.178/2025 registered with Bhusawal Taluka Police Station, District Jalgaon for the offences punishable under Sections 118(1), 115(2), 3(5), 309(6), 351(3), 352 of Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the informant, Shaikh Ashfak Shaikh Sagir, has lodged a complaint alleging that he is working as a supervisor with Atreyya Corporation, which has been awarded a contract for lifting ash since 18.08.2025. The company lifts ash from the Atomic Energy Centre, Bhusawal. It is further alleged that on 07.09.2025, at around 4:00 a.m., when the Dumper

bearing registration number MH-15-FV-0459 was standing, the driver informed at about 04:47 a.m. that another Dumper owner had called him, and therefore he went near the gate. At that time, Dumper owners Dipak Madhukar Hotole and Kiran Madhukar Hatole, along with their driver Dinesh Trimbak Khandare and some villagers, were present there. When driver Amar Bahadur Singh asked what had happened, Dipak Hatole assaulted him and gave a blow on his face, and the Applicant also assaulted him with fists and blows. It is further alleged that Dipak assaulted him with a rod, and Kiran Hatole snatched Rs.5,200 from his pocket and threatened him not to come for lifting ash, otherwise they would kill him.

4. The learned Counsel for the Applicants submits that the Applicant is ready to pay Rs.5,200 under protest, as the allegation is false and has been made only to take revenge regarding the contract for lifting ash. It is submitted that the Applicant was not present at the time of the incident. It is further submitted that the main allegation of assault pertains to co-accused Dipak, who is alleged to have used an iron rod. Therefore, the Applicant may be granted protection, as he is ready to abide by any conditions that may be imposed by this Court if he is released on bail.

5. As against this, the learned APP vehemently opposes the present application on the ground that the Applicant is a criminal history-sheeter and that an offence under Section 326 is also registered against him. It is submitted that if the Applicant is released

on bail, he may again commit a similar offence. The Applicant is alleged to have assaulted Amar Singh with fists and kick blows. The injury certificate of Amar Singh shows two injuries, an abrasion and a contusion on the upper lip and right moustache region. It is further submitted that co-accused Dipak also has an offence registered against him for attempt to commit murder. Therefore, the Applicant, along with his brother, poses a threat to law and order, and if released on bail, may threaten the prosecution witnesses or the complainant.

6. I have gone through the investigation papers made available by the learned APP. The Investigating Officer is also present before this Court in pursuance to the earlier order. The perusal of the investigation papers shows that the accused Dinesh is also arrested on 12.09.2025 and the other allegations of using iron rod to assault, are against the brother of the Applicant, Dipak. The allegations against the present Applicant Kiran are limited to assaulting the complainant with fists and kick blows and snatching an amount of Rs.5,200/- along with co-accused Dinesh. The amount of Rs.5,200/- is alleged to have been snatched by the present Applicant. I have gone through the injury report of Amar Singh, which shows that he has sustained simple injuries. The injury certificate of Abdul Adnan also indicates that the injury sustained by him is simple in nature. The injury sustained by Ashfak appears to be on a vital part, however it is allegedly caused by the co-accused Dipak and not by the Applicant.

. The learned Counsel for the Applicant submits that the criminal antecedents show that Crime No. 33/2015, in which the Applicant was an accused, has resulted in acquittal order passed by the learned J.M.F.C., Court No. 1, Bhusawal, District Jalgaon, vide order dated 30.11.2021 in R.C.C. No. 283/2015. It is further submitted that the other offence alleged against the Applicant is not true. The said FIR being FIR No. 153/2019 under Section 307 of the IPC, i.e., attempt to commit murder, is registered against the Applicant's brother, Dipak, and not against the present Applicant.

7. Be that as it may, since the role of present Applicant is of assault by fist and kick blows, I am inclined to protect the Applicant. The apprehension of the learned APP can be taken care of by imposing stringent conditions upon the Applicant. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Kiran Madhukar Hatole in connection with Crime No.178/2025 registered with Bhusawal Taluka Police Station, District Jalgaon for the offences punishable under Sections 118(1), 115(2), 3(5), 309(6), 351(3), 352 of Bharatiya Nyaya Sanhita, 2023, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) The Applicant shall attend Bhusawal Taluka Police Station, District Jalgaon on Thursday and Friday of every week between 11:00 am. to 01:00 pm., till framing of the charge by trial Court.

(b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(c) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(d) A single violation of the conditions would entitle the prosecution to seek cancellation of the bail.

(ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE

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