



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

ANTICIPATORY BAIL APPLICATION NO. 1474 OF 2025

1. RADHESHAM GITARAM NATAK
2. ANAND GIRARAM NATAK

VERSUS

THE STATE OF MAHARASHTRA

WITH

**CRIMINAL APPLICATION NO. 3686 OF 2025
IN ABA/1474/2025**

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Advocate for Applicants : Mr. Dushing Sanjay B.

Advocate for Complainant : Mr. Umar Pasha A. Sayyed h/f
Mr. S.R. Zambare

APP for Respondents/State : Mr. K.N. Lokhande

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CORAM : MEHROZ K. PATHAN, J.

DATE : 8th DECEMBER 2025

PER COURT :

1. Heard the learned Counsel for the Applicants, learned Counsel for the complainant and the learned APP for the State.
2. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.407/2025 registered with Ahilyanagar Camp Police Station, District Ahilyanagar for the offences punishable under Sections 118(1), 118(2), 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 25 of the Arms Act.

3. The case of the prosecution is that a complaint came to be registered at the instance of one Bhanudas Uttam Natak, resident of Shahapur, Taluka and District Ahmednagar. It is alleged that he resides at the above-mentioned address along with his family members, who are engaged in agricultural business for their livelihood. It is further alleged that the complainant owns agricultural land in Shahapur Shivar, adjacent to which his cousin, Navnath Natak, also owns agricultural land. There are civil disputes between them in respect of the said agricultural lands. On 17.07.2025 at about 07:30 a.m., the complainant had gone to inspect his soybean crop in his agricultural land at Shahapur. At that time, he noticed that Navnath Natak had sprayed insecticide on his crop, which allegedly affected the complainant's crop near the bandh, causing partial damage. When the complainant questioned Navnath, stating that the insecticide had spread to his crop and caused damage, Navnath became annoyed, ran towards him with a sickle, and struck him on the forehead, causing injury and making him fall to the ground. Thereafter, his cousin Gitaram Natak and Gitaram's two sons arrived at the spot armed with iron rods and assaulted the complainant. One of them struck him forcefully with an iron rod near the elbow of his right hand and on his left leg below the knee, causing further injuries. The four accused then left the spot after inflicting trauma. While the complainant was lying on the ground, his nephew, Kiran Sampat Natak, arrived, helped him up, and seated him. While leaving, the accused persons allegedly threatened the complainant, stating that if he quarreled with them again, they

would kill him. Subsequently, the complainant's nephew Kiran Natak admitted him to Patil Hospital, Ahmednagar, in a private vehicle. In the assault, the complainant sustained injuries to his head and legs, and his right elbow was fractured. On the basis of these allegations, Camp Police Station authorities registered an offence against the accused persons.

4. The learned Counsel for the Applicants submits that the Applicants are unnecessarily dragged into the present offence, whereas the quarrel has taken place on 17.07.2025 between the complainant and Navnath and Gitaram. The main accused persons Navnath and Gitaram were already arrested and released on regular bail. The weapons are also recovered at the instance of arrested accused. The Applicants are young members of the family which are roped in by the complainant only to drag the entire family with the criminal offence registered against them. The Applicants have no criminal antecedents and are ready to abide by any conditions that may be imposed by this Court, if released them on bail.

5. As against this, the learned APP Mr. Lokhande along with the Counsel for assisting prosecution Mr. Sayyed vehemently oppose the present application on the ground that the Applicants have caused grievous injuries on the person of complainant Bhanudas and are absconding from the date of registration of the offence. The weapons are yet to be recovered at the instance of the Applicants and the custodial interrogation of the Applicants is therefore necessary. It

submitted by the learned APP as well as the learned assisting Counsel that if the Applicants are released on bail, they may again commit cognizable offences. It is also submitted that the complainant and the Applicants have agricultural lands situated adjacent to each other. The learned APP as also by learned assisting Counsel pray for rejection of the present application.

6. I have gone through the allegations made in the FIR and the investigation papers made available by the learned APP, Mr. Lokhande. A perusal of the injury certificate and the statements recorded during the course of investigation shows that there is no injury on the back and left knee of the complainant, despite direct allegations that Radhesham and Anand assaulted him with an iron rod. Thus, there is a discrepancy between the statements, the FIR, and the injury report. Although the injury report indicates that the complainant sustained grievous injuries, a perusal of the FIR reveals that such grievous injuries were attributed to the arrested accused Navnath and Gitaram, inflicted on vital parts of the body. The Applicants are only attributed the role of assaulting the complainant with iron rods on his hands and legs.

. Be that as it may, the absence of grievous injuries on the hands of the complainant in the injury certificate creates a doubt about the allegations against the present Applicants. The observations made herein are prima facie in nature and may not influence any other proceedings before any other Court. The apprehension of the learned APP as well as the learned assisting

Counsel can be taken care of by imposing stringent conditions upon the Applicants who are young members of the family. Hence the following order :

ORDER

(i) In the event of arrest of the Applicants - Radhesham Gitaram Natak and Anand Giraram Natak in connection with Crime No.407/2025 registered with Ahilyanagar Camp Police Station, District Ahilyanagar for the offences punishable under Sections 118(1), 118(2), 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 25 of the Arms Act, they be released on bail on furnishing PR. bond of Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties in the like amount, on the following conditions :

(a) The Applicants shall attend the concerned police station on Thursday, Friday and Saturday of every week till the filing of the charge-sheet.

(b) The Applicants shall not enter the village Shahapur, District Ahilyanagar till the framing of the charge, except for attending the police station as directed herein before.

(c) The Applicants shall not tamper with the prosecution evidence and shall not influence the witnesses.

(d) Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.

(e) 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.

(iii) The applications for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE

NATEEB..