

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1792 OF 2025

Uga Aamsha Tadv

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....

Advocate for Applicant : Ms. Rutuja L. Jakhade
APP for Respondents: Mr. P.D. Patil.

CORAM : MEHROZ K. PATHAN, J.

DATE : 9TH DECEMBER, 2025.

P.C. :-

The applicant has approached this court, seeking grant of anticipatory bail in Crime No. 0097 of 2025 registered with Dhadgaon Police Station, Dist. Nandurbar for the offences under Sections 115-2, 189-2, 190, 191-2, 324-5, 326-G, 351-3, 352 of Bharatiya Nyaya Sanhita.

2. The prosecution case, in brief, is that on 16.06.2025 at about 8.00 p.m., the accused persons came to the house of the informant. Accused Shiva questioned the informant's brother regarding his police statement given in the year 2002 in a murder case. Thereafter, the accused persons abused and assaulted the informant and his brother with fists and blows and issued threats to life. It is alleged that some of the accused set the informant's house on fire, due to which the informant and his family members, including children, were forced to come out. As a result of the said incident, loss to the tune of Rs. 1,26,500/- was

caused. The FIR was lodged on 20.06.2025 and the crime was registered accordingly.

3. Miss Rutuja Jakhade, the learned counsel for the applicant submits that the applicant is falsely roped in the present crime as there are previous disputes going on between the complainant Vilas Tadwi and the family members of the present applicant Uga. It is further submitted that the only allegation against applicant – Uga is of giving fist and kick blows to Anand Tadwi and complainant Vilas. The other allegations of setting up the house on fire and causing loss of income are not against the present applicant – Uga. She further relies upon the order passed in the case of Damanya Tadwi by this court dated 3.12.2025 in A.B.A. No. 1602 of 2025, wherein, this Court has granted anticipatory bail to one of the co-accused namely Damnya, who is alleged to have set the dwelling house on fire. She further submits that the applicant has deep roots in the society and has no criminal antecedents to her discredit and she is ready to abide by any condition that may be imposed by this Court.

4. As against this, learned APP vehemently opposes the application, on the ground that the applicant is involved in a serious offence under Section 326-G, which is punishable with imprisonment for ten years. There are direct allegations against the applicant of being a member of unlawful assembly which had put the dwelling house of the complainant on fire. As such, the role of the applicant is clearly made out in the FIR. Hence, the applicant may not be released on bail, as there is every likelihood that she may again commit similar offence causing disturbance of peace in the village.

5. I have gone through the investigation papers and the order passed by this Court dated 3.12.2025, in ABA No., 1602 of 2025 in the case of Damnya Retha Tadvi. It was noted by this Court in the said

order that there was no medical papers found in the investigation papers which can corroborate the allegations of assault by fists and kick blows by the applicant and other accused persons on the complainant Vilas or his brother Anand. The only injury certificate is that of Vesti Tadv, the mother of the complainant, which does not even disclose any injury sustained by her. The case diary does not contain any statement of any independent witness which would corroborate the allegations. There is a delay of 4 days in lodging the FIR and no explanation is given in the FIR by the complainant for the same. As such, I am inclined to protect the applicant on the principle of parity as the other co-accused Damnya is already released on ad-interim anticipatory bail by this Court vide order dated 3.12.2025 in ABA No. 1602 of 2025. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 0097 of 2025 registered with Dhadgaon Police Station, Dist. Nandurbar for the offences under Sections 115-2, 189-2, 190, 191-2, 324-5, 326-G, 351-3, 352 of Bharatiya Nyaya Sanhita the applicant 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 shall attend the concerned Police Station and report to the Investigating Officer on every Monday and Tuesday between 10.30 a.m. to 1.30 p.m. till filing of charge sheet and shall cooperate with the investigation.

[ii] The applicant shall not tamper with the prosecution evidence and shall not pressurize, threaten or induce the prosecution witnesses.

[iii] The applicant shall furnish copies of his Aadhar Card and Pan Card to the Investigating Officer alongwith the addresses and mobile numbers of two nearest relatives.

[iv] Needless to state that a single 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.

[v] The application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE.

grt/-