



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 CRIMINAL APPEAL NO. 806 OF 2025

Shivaji Bhaurao More,
Age : 52 years, Occupation -Service,
R/o. Flat No.404, Regency Apartment,
Shivaji Nagar, Beed,
Tq.and Dist.Beed.

...APPELLANT

VERSUS

1. The State of Maharashtra
Through Office Incharge,
Police Station Dindrud,
Dist. Beed.
2. Superintendent of Police,
Beed Dist.Beed.
3. Usha Laxman Wawalkar
Age – 32 years, Occupation-Labour,
R/o Kari, Tq. Dharur, Dist.Beed.

...RESPONDENTS

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Advocate for Appellant : Mr. Jeevan S. Khade h/f. Mr. S. J.
Salunke

APP for Respondent No.1 and 2/State : Mr. V. M.Lomte
Advocate for Respondent No.3 : Mr. M. B. Sandanshiv
h/f. Mr. Subhash S Nade

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CORAM : SUSHIL M. GHODESWAR J.,

DATE : 15.12.2025

PER COURT :

1. Heard learned counsel for the appellant, the learned APP for the

respondent-State and learned counsel for respondent No.3.

2. By way of ad-interim protection, this Court vide order dated 20.10.2025, granted anticipatory bail to the appellants.

3. As per the prosecution case, on 17.08.2025 the respondent No.3 had quarrelled with accused persons including the appellant. One Dadarao More have assaulted her by axe and other accused Krishna was also alleged to have assaulted her with the wooden stick. Other accused persons have alleged to have assaulted victim by means of fist and kick blows.

4. Learned counsel for the appellant submits that this Court has already granted ad-interim protection to the appellant vide order dated 20.10.2025 and since then he is co-operating with the Investigating Officer. Looking to the role as per the allegations the appellant assaulted the victim by fist and kick blows, and as such no more incriminating role attributed to him and therefore he is praying for grant of anticipatory bail.

5. Per contra, Mr. Lomte learned APP strongly opposed on the

ground that the offence is serious. The appellant has assaulted the victim belonging to the Scheduled Caste category. He submits that if the appellant is granted bail he may threaten the prosecution witnesses and therefore strongly opposed the grant of bail. Also heard the learned counsel for respondent No.2-victim. He also adopted the submissions of learned APP. The appellants is belonging to the influential community. And therefore prayed for rejecting the bail.

6. The appellant is alleged to have been assaulted victim by kick and fist blows. More attributing role is against the other accused persons and not the present appellant.

7. With the help of learned APP I have gone through the police papers. The said papers reveals that the investigation is almost completed, however, filing of chare-sheet is remained. In that view of the matter, the case of appellant can be considered for confirming ad-interim bail. Hence, following order :-

ORDER

- a) The Criminal Appeal stands allowed, order dated 20.10.2025 is confirmed.
- b) The impugned order dated 18.10.2025 passed by the learned Additional Sessions Judge, Kaij in Criminal Bail Application

Nos.265/2025 is quashed and set aside.

- c) In the event of arrest of the appellant in connection with Crime bearing FIR No. 254/2025 registered on 08.10.2025 with Dindrud Police Station, District Beed for the offences punishable under Sections 109, 118, 115, 351, 352, 189, 190, 191 of the BNS Act, 2023 and offence under Sections 3(1)(r), 3(1)(s), 3(2),(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, he shall be released on furnishing PR bond of Rs. 25,000/-(Rupees Twenty Five Thousand only) with one solvent surety/security in the like amount.
- d) The appellant shall attend the concerned police station as and when called by the investigating officer.
- e) The appellant shall not try to contact or pressurize the witnesses or the informant, in any manner whatsoever.

(SUSHIL M. GHODESWAR)
JUDGE

shp