



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

25 CRIMINAL APPEAL NO. 807 OF 2025

1. Damodhar Bhaurao More,
Age : 64 years, Occ : Agri.,
R/o Kari,Tq : Dharur,
District : Beed.
2. Kondiram Bhaurao More,
Age : 64 years, Occup : Agri.,
R/o : Kari, Tq. Dharur,
District : Beed
3. Kailas Kondiram More,
Age : 35 years, Occup : Agri.,
R/o : Kari, Tq. Dharur,
District :Beed

...APPELLANTS

VERSUS

1. The State of Maharashtra,
2. A B C
R/o : Kari, Tq. Dharur,
District :Beed

...RESPONDENTS

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Advocate for Appellants : Mr. Jadhavar Shivprasad G.,
APP for Respondent No.1/State : Mr. V. M.Lomte
Advocate for Respondent No.2 : 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 appellants, the learned APP for the respondent-State and learned counsel for respondent No.2.
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.2 had quarrelled with accused persons including the appellants. 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 appellants submits that this Court has already granted ad-interim protection to the appellants vide order dated 20.10.2025 and since then they are co-operating with the Investigating Officer. Looking to their role as per the allegations they said to have been assaulted the victim by fist and kick blows and no more aggravating incriminating role attributed to them and therefore they are praying for grant of bail.

5. Per contra, Mr. Lomte learned APP strongly opposed on the ground that the offence is serious. They have assaulted the victim belonging to the Scheduled Caste category. He submits that if the appellants are granted bail they 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 are belonging to the influential community. And therefore they prayed for rejecting the bail.

6. The appellants are alleged to have assaulted victim by kick and fist blows. More attributing role is against the other accused persons and not the present appellants. Since 20.10.2025 they are on ad-interim protection, and they have not misused their liberty.

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, mere filing of chare-sheet is remained. In that view of the matter, the case of applicants can be considered for pre-arrest bail. Hence, following order :-

ORDER

- a) The Criminal Appeal stands allowed by confirming the order dated 20.10.2025 passed by this Court.

- b) The impugned order dated 18.10.2025 passed by the learned Additional Sessions Judge, Kaij in Criminal Bail Application No.263/2025, is quashed and set aside.
- c) In the event of arrest of the appellants 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, they shall be released on furnishing PR bond of Rs. 25,000/-(Rupees Twenty Five Thousand only) each with one solvent surety/security in the like amount.
- d) The appellants shall attend the concerned police station as and when called by the investigating officer.
- e) The appellants shall not try to contact or pressurize the witnesses or the informant, in any manner whatsoever.

(SUSHIL M. GHODESWAR)
JUDGE

shp