



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1997 OF 2025

Baban Ananda Bhosale

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....

Advocate for Applicant : Mr. Nannaware Sachin Madukar
APP for Respondents: Mr. P.D. Patil.

CORAM : MEHROZ K. PATHAN, J.

DATE : 16TH DECEMBER, 2025.

P.C. :-

1. The appicant has aproached this Court seeking anticipatory bail in connection with Crime No. 0527 of 2025 registered with Bidkin Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 109, 189-2, 191-2, 191-3, 190, 351-2 of the Bhartiya Nyaya Sanhita.

2. Case of the prosecution is that, informant Maltabai Kammalkar Kale gave a statement on 26.8.2025 while she and her three sons were at home, they heard some noise of quarrel in front of the house of her brother in law/Dizel Pandurang Kale. When they reached there, they saw their neighbour Sukhdeo Anand Bhosale and son of her brother in law – Chetan Dizel Kale were abusing each other over dispute in regard to a plot. Sukhdeo was holding an axe in his hand. While abusing, he dealt a blow of axe on the head of Bhishma Dizel Kale and caused bleeding injury. As blood was oozing, the informant and her

sister Ramnabai tried to intervene and caught hold of Sukhdeo. However, Sukhdeo dealt of blow of axe on the head of informant Maltabai. My sons tried to rescue the informant. At that time, the present applicant Baban came running with a knife in his hand and caused injury on the right palm of the informant. Sagar Ananda Bhosale came running with an iron rod in his hand and caused injury to Ramnabai on her right leg.

3. Learned counsel for the applicant Mr. Nannavare, submits that during the pendency of the application, charge sheet is filed before the learned trial court and that he wanted to rely upon the charge sheet to show that there are false allegations levelled against the applicant. Perusal of the statement recorded during the course of investigation by the prosecution shows that verbatim statements supporting the prosecution whereas, the injury certificate to the complainant Maltabai does not contain injury on her hand by a sharp weapon, as alleged in the FIR. Thus, looking to this discrepancy, the false implication of the applicant cannot be ruled out. Hence, he may be released on bail as the applicant is not having any criminal antecedents and that he is ready to abide by any conditions that may be imposed by this Court.

4. Learned APP vehemently opposes the application on the ground that there are serious allegations against the applicant of assaulting by means of sharp weapon. The injury sustained by Maltabai though does not show any grievous injury on hand, however, grievous injury on head of complainant is mentioned as contused lacerated wound shown to be caused by a sharp object. He further submits that the applicant, if released on bail would indulge into identical offence as the applicant and complainant are neighbours and are residing in the same area. The applicant is evading arrest since the date of registration of offence. As such, custodial interrogation of the applicant is necessary to complete the investigation and recover the weapon used by the applicant

and filing supplementary charge sheet against the applicant. Hence, the applicant may be rejected.

5. I have gone through the charge sheet made available by the learned APP. With the assistance of the learned APP Mr. Khan, I have perused the injury certificate of complainant Maltabai. Though contused lacerated wound is shown to have been sustained by the complainant Maltabai on her vital part i.e. head, by a sharp object, the said injury is attributed to one Sukhdeo Bhosale in the FIR who was quarreling with Chetan Dizel Kale. Thus, the said injury cannot be said to be attributed to the present applicant. The present applicant is reported to have used a sharp knife to assault the complainant on her head. However, the Injury Certificate of Maltabai does not show any cut injury by knife attributed to the applicant. Thus, false implication of the applicant cannot be ruled out at this stage. However, observations made hereinabove are made only with an intention to decide the present application and same may not influence the trial court. The other accused Latabai and Archana are already released by the Sessions Court, whereas, accused Manju and Swati are released on anticipatory bail by the Sessions Judge. Thus, I am inclined to protect the applicant. However, the apprehension of the learned APP can be taken care of by imposing stringent conditions. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 0527 of 2025 registered with Bidkin Police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 109, 189-2, 191-2, 191-3, 190, 351-2 of the Bhartiya Nyaya Sanhita the applicant Baban Ananda Bhosale 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 Friday and Saturday till filing of supplementary charge sheet, if any, against the applicant.
- [ii] The applicant shall not enter the jurisdiction of Bidkin Police Station, except for attending the police station, on the days mentioned above, till framing of the charge.
- [ii] The applicant shall not tamper with the prosecution evidence.
- [iii] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives.
- [iv] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-