



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1763 OF 2025

1. Ramdas Vitthal Waghmode

2. Krushna Baban Pisal

VERSUS

The State Of Maharashtra And Another

...

WITH

CRIMINAL APPLICATION NO. 4494 OF 2025

Subhash Sitaram Karmad

VERSUS

Ramdas Vitthal Waghmode And Others

...

- Mr. S. R. Andhale, Advocate for Applicants
- Mr. AAA Khan, APP for Respondent Nos. 1 and 2
- Mr. M. R. Dusunge, Advocate for Complainant

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CORAM : MEHROZ K. PATHAN, J.

DATED : 25.11.2025

PER COURT :

1. The applicants have approached this Court seeking anticipatory bail in connection with FIR bearing Crime No. 833 of 2025, dated 31.07.2025, registered with Rahuri Police Station, Tal. Rahuri, Dist. Ahilyanagar under Sections 191(1), 118(1), 189(2), 191(3), 190, 352, 351(2) of BNS 2023.

2. The prosecution case is that on 28.07.2025, when the applicant had taken his wife to Civil Hospital, Taharabad for treatment of toothache, her relatives visited her at the hospital. After completion of treatment, while proceeding towards Ghorpadwadi, they halted near a water tank at about 2:00 p.m. At that time, a dispute arose when the applicant's father-in-law questioned him for taking his wife to a Civil Hospital instead of a private hospital. It is alleged that the father-in-law assaulted the applicant with an iron chain, while co-accused Krushna Baban Pisal assaulted him with an iron rod, and other accused persons assaulted him with fists and kicks, abused and threatened him. It is further alleged that the co-accused snatched the applicant's mobile phone and motorcycle key. The applicant sustained injuries and was thereafter admitted to Civil Hospital, Taharabad, then shifted to Civil Hospital, Rahuri, and subsequently referred to Civil Hospital, Ahilyanagar for further treatment.

3. Learned counsel for the applicant submits that the applicant is the father-in-law of the complainant and that a matrimonial dispute was pending between the applicant's daughter, Ashwini, and the complainant Subhash. It is submitted that a compromise deed was executed, pursuant to which the applicant's daughter and the complainant were residing together subject to certain terms and conditions. It is contended that the incident as narrated in the First

Information Report does not disclose any serious offence. The applicant is ready and willing to abide by any terms and conditions that may be imposed by this Court and is also ready to cooperate with the investigation. It is submitted that custodial interrogation of the applicant is not necessary, as the applicant has no criminal antecedents and has deep roots in society, and is not likely to abscond.

4. As against this, the learned APP and the learned counsel appearing for the complainant, who has been permitted to assist the prosecution, vehemently oppose the present application on the ground that the offence is serious in nature. It is submitted that the applicant and his family members assaulted the complainant on a trivial issue of the complainant having taken his wife to a Government Hospital instead of a private hospital. It is further submitted that the injuries sustained by the complainant corroborate the allegations and that if the applicant is released on bail, he may threaten the prosecution witnesses and prejudice the prosecution case. It is also submitted that the injury certificate of the complainant is yet to be collected by the Investigating Officer.

5. The learned APP further submits that custodial interrogation of the applicant is required for recovery of the weapons allegedly used in commission of the offence. It is submitted that even though the

applicant has no criminal antecedents, if released on bail, the possibility of repetition of similar offences cannot be ruled out, which may disturb peace and tranquility in the village where the complainant resides. The learned APP, therefore, prays for rejection of the application.

6. I have perused the investigation papers and the statements recorded during the course of investigation. No doubt, the role of the present applicant transpires from the FIR as well as from the statements of witnesses. However, the injuries sustained by the complainant appear to be abrasions caused by a hard and blunt object and are reported to be simple in nature. Considering the nature of evidence collected by the prosecution, in my view, custodial interrogation of the applicant is not necessary. The apprehension expressed by the prosecution can very well be taken care of by imposing stringent conditions and by permitting the applicant to cooperate with the investigation. Hence, the following order:

ORDER

- I. In the event of arrest of the Applicants – *Ramdas Vitthal Waghmode* and *Krushna Baban Pisal*, they be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand only) each with one or two solvent sureties in the like amount each, in connection with FIR bearing Crime No. 833 of 2025, dated 31.07.2025, registered with Rahuri

Police Station, Tal. Rahuri, Dist. Ahilyanagar under Sections 191(1), 118(1), 189(2), 191(3), 190, 352, 351(2) of BNS 2023, subject to the following conditions :-

- (a) The applicants shall attend the concerned police station and report to the Investigating Officer on every Friday and Saturday till filing of the charge-sheet, and thereafter only on Saturdays till framing of the charge.
- (b) The Applicants shall cooperate with the investigation.
- (c) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

7. Needless to say that in the event of breach of any of the aforesaid conditions, the interim protection granted by this Court shall be liable to be cancelled.

8. The Anticipatory Bail Application is disposed of in aforesaid terms.

9. In view of the above, Criminal Application No. 4494 of 2025 is also stands disposed of.

(MEHROZ K. PATHAN, J.)