



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

**919 ANTICIPATORY BAIL APPLICATION NO. 2162 OF 2024
WITH
CRIMINAL APPLICATION NO. 33 OF 2025
IN ABA/2162/2024**

1. HARI @ HARIBHAU DADASAHEB AARBAD
2. GANESH TIRTHRAJ AARBAD
3. SHIDHESHWAR S/O. PARAJI AARBAD
4. DHARMRAJ S/O. HANUMANT AARBAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. S. E. Shekade
APP for Respondents-State: Mr. N. B. Patil
Advocate for assist to APP : Mr. A. S. Deshpande

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.01.2025

P.C. :

1] Criminal Application No. 33 of 2025 filed for assisting the learned APP is allowed. Mr. A. S. Deshpande, learned Advocate is allowed to assist the APP.

2] Heard learned counsel for the applicants, the learned APP for the respondents-State and Mr. A. S. Deshpande, learned Advocate assisting APP.

3] The applicants are apprehending arrest in connection with Crime No.350 of 2024 dated 27.11.2024, registered at Chaklamba Police Station, District Beed, for

the offences punishable under sections 118(2), 118(1), 352, 351(2), 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023.

4] The applicant No.1 and the informant are neighbours and there was fight between them. The applicant No.1 has assaulted the informant and other family members of the informant. The medical certificate of injured is produced. Already three family members of the applicants are arrested and released on bail.

5] The learned counsel for the applicants submit that considering the nature of injuries, which are simple and there is dispute between neighbours, further custodial interrogation of the applicants is not necessary and they may be granted anticipatory bail.

6] Mr. A. S. Deshpande, the learned counsel assisting APP submits that the applicants are threatening the informant and family members and as such, anticipatory bail shall not be granted to the applicants.

7] Considering that the other family members of the applicants are granted bail and nature of injuries I hold that relief needs to be granted to the applicants. In view of the above, the application is allowed in the following terms :

i] In the event the applicants are arrested in connection with Crime No.350 of 2024 dated 27.11.2024, registered at Chaklamba Police Station, District Beed, for the offences punishable under sections 118(2), 118(1), 352, 351(2), 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023., they shall be released on bail on furnishing PR bond of Rs. 20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants shall attend the police station as and when required by the Investigating Officer.

iii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

v] The applicants shall not in any manner threaten the complainant or the witness.

8] In the event, the applicants violates any of the conditions specified in this order, it shall be liable to be cancelled.

9] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW