



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 ANTICIPATORY BAIL APPLICATION NO. 1174 OF 2025

PRADIP PRAKASH WAGH
VERSUS
THE STATE OF MAHARASHTRA

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Mr. A. S. Dhorde a/w Mr. Abhishek Nagode, Advocate for Applicant
(Through VC)

Mr. A. M. Phule, APP for the Respondent/State

CORAM : ADVAIT M. SETHNA, J.

DATE : 14 JULY 2025

P. C. :-

1. Heard learned Advocates for the parties for some time.
2. This Application is coming for first time today.
3. Issue Notice to the Respondent, returnable on 1 August 2025. Learned APP waives service of notice on behalf of the Respondent/State.
4. The Applicant has preferred this Application as he apprehends arrest. These proceedings relate to Crime No. 401 of 2024. The FIR is dated 28 August 2024 at 20.03 hours registered by the Rahata Police Station, District Ahmednagar for the offences punishable Sections 307, 326, 324, 323, 504, 506 r/w 34 of the Indian Penal Code (for short 'IPC') and under Sections 3/25 of the Arms Act.

5. The date of the occurrence of the offence is stated to be 23 March 2024 at about 7.30 pm. There are 7 Accused persons as named in the FIR out of which original Accused No.5 is the Applicant before the Court. The Informant is one Ravindra Ganpat Dehade. The FIR is lodged pursuant to an order passed by the Trial Court under Section 156(3) of the IPC dated 25 May 2024. It is pursuant to such order the FIR has been lodged in the present proceedings. Pertinent it is to note that the allegations in the FIR relate to an alleged assault on the date of the incident i.e. 23 March 2024, the original Accused Nos. 6 and 7 have been granted protection by the Supreme Court, vide order dated 8 May 2025. Further the Accused Nos.1 to 3 have granted regular bail by an order dated 7 January 2025. It also appears that the original Accused No.4 has also been granted regular bail by an order dated 7 January 2025 by the learned Sessions Court on the terms and conditions set out therein. It appears that all of these persons have been involved in the same alleged offence arising out of the same crime, incident, the same FIR registered on the same day. The role attributed to this Applicant which is accused No.5 along with original Accused No.3 is that he inflicted injuries on the Informant with a stick and an alleged weapon, the details of which are not known at this stage. It also appears that similar roles were attributed to the other Accused persons who have been granted relief, some by the Supreme Court and some by the Sessions Court, as noted above.

Considering the date of the occurrence of the alleged offence i.e. 23 March 2024 and the FIR lodged on 28 August 2024 there also appears to be significant delay in lodging the FIR.

6. It appears from the (page No. 78) of the Application, that General Diary details of the Police, have been reproduced which as also Mr. Phule would point out that this is a part of the investigation. Learned Advocate for the Applicant at this stage would submit that this was available during the proceedings under Section 156(3) and that is how it is placed on record.

7. Mr. Phule would at this stage records his objection to grant any protection to the Applicant. Mr. Phule, learned APP would take instructions in the meantime as the Application is listed for the first time today.

8. However, in light of the above facts and circumstances for the reasons recorded, *prima facie*, the Applicant deserves to be protected by the following order.

ORDER

- (i) Until adjourned date of hearing, in the event of arrest of the Applicant in connection with C.R. No. 401 of 2024 registered by the Rahata Police Station, District Ahmednagar for the offences punishable under Sections 307, 326, 324, 323, 504, 506 r/w 34 of the IPC and under Sections 3/25 of the Arms Act, the Applicant is directed to

be released on bail on his furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) with one or more sureties in the like amount.

- (ii) The Applicant shall cooperate with the investigation and shall attend the concerned police station on every Monday at 11.30 a.m. until further orders.
- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately intimated to the concerned police station.
- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.
- (v) The Applicant shall not influence the witness/s and/or tamper evidence in any manner whatsoever.

9. Learned APP to communicate this order forthwith to concerned police station.

10. The protection granted to the Applicant by this order shall continue till the adjourned date of hearing.

11. List these proceedings for further consideration on **1 August 2025.**

(ADVAIT M. SETHNA, J.)

ssp