



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 1331 OF 2025

Dada Haribhau Dhobale
Versus
The State of Maharashtra & Anr.

Mr. Swapnil Joshi a/w Ojas Deshpande and Sakshi Muley i/by J. P. Legal for
the Applicant.
Mr. A. M. Phule, APP for the State.

CORAM : ADVAIT M. SETHNA, J.
DATE : 31 JULY 2025

P. C.:

1. The matter is listed for the first time today.
2. Issue notice to the Respondents. Mr. Phule, learned APP waives service for the State.
3. This is an Application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 as the Applicant in the present proceedings apprehends arrest.
4. These proceedings arise out of CR No.0152 of 2025. The FIR is lodged on 6 June 2025 at 23:50 hours by the Shirur Police Station, District Beed. The date of occurrence of the alleged incident as stated in the FIR is 4 June 2025. The FIR has been registered under Sections 119(1), 189(1)(c), 189(1)(d), 190, 191(1), 333, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”). The informant is one Pooja Uttareshwar Gaat, age

24 years. There are four accused persons, out of whom Accused No.3 is the present Applicant before the Court. Accused No.1 is protected by an interim order of this Court dated 21 July 2025, whereas Accused No.2 is protected by an order of the Sessions Court (Trial Court) dated 19 July 2025.

5. From the FIR, it appears that on 4 June 2025 at about 8 p.m. while the complainant was in her house with her daughter Divya and son Swaraj, the door of the house was open. Suddenly, the Applicant who is resident of same village and the co-accused persons along with unknown persons entered the house with bamboo sticks in their hands. The informant's husband had kept amount of Rs.50,000/- in the form of currency notes of denomination of 500/- each in the cupboard. The Applicant and other co-accused persons took away the said amount from the cupboard as it was not locked and threatened the informant that if she discloses about the incident to anyone, they will kill her. As the informant was scared, she did not disclose the incident to anyone. On 6 June 2025 the informant's brother one Suresh Kakde came to her house. Then on inquiry, the informant told him about the incident. It was in these circumstances the report was lodged and the FIR was registered.

6. It is submitted by the learned Advocate for the Applicant that there is possibility of false implication in the present case inasmuch as there are cross complaints leading to an FIR where the Accused No.1 is the complainant. Such FIR is dated 6 June 2025 lodged in CR No.0151 of 2025

by the same police station. The incident is the same and in fact the timing of such incident is also the same. The alleged offences are also similar as that in the present proceedings. As noted above, co-accused Nos.1 and 2 are protected by interim orders for the very same crime. Thus the possibility of over implication cannot be ruled out at this stage.

7. Considering all of the above, the Applicant, *prima facie* deserves protection. The Applicant has undertaken to co-operate with the investigation. At this stage, physical custody of the Applicant may not be necessary. Mr. Phule, in the meantime would take instructions.

8. In view of the above, the following order in my opinion would meet the ends of justice:-

ORDER

- (i) Until the adjourned date of hearing, in the event of arrest of the Applicant in connection with CR No.0152 of 2025 registered with Shirur Police Station, Beed for the offences punishable under Sections 119(1), 189(1)(c), 189(1)(d), 190, 191(1), 333, 351(2) and 351(3) of the BNS, 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 the further orders.
- (v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.

9. List the proceedings for further consideration on **11 August 2025** along with Anticipatory Bail Application No.1201 of 2025.

10. The protection granted to the Applicant shall continue until the adjourned date of hearing.

[ADVAIT M. SETHNA, J.]