

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

15 ANTICIPATORY BAIL APPLICATION NO. 1546 OF 2025

Shankar Rupa Pawar

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Shri. Akshay Suresh Radikar, Advocate for the Applicant

Shri. N. D. Batule, APP for the Respondent / State.

...

CORAM : NEERAJ P. DHOTE, J.

Dated : SEPTEMBER 08, 2025

PER COURT :-

. Heard the learned Advocate for the Applicant and the learned APP for the State. Perused the papers on record.

2. The Applicant is seeking protection from his arrest in Crime No.343/2025 registered with the Cantonment Police Station, Chhatrapati Sambhajanagar for the offence punishable under Sections 109, 189(2), 190, 191 (2), 191(3), 351(1), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS'). The above referred Crime is registered on the Report lodged by Pritam Mohan Rathod, who is the Son-in-law of the Applicant. According to the Informant, in the night of 21.08.2025 between 10:00 p.m. to 11:00 p.m. when he with his Cousin Brother and one lady was having dinner at one Fauji Dhaba, the Applicant, the Informant's Wife, Wife of the Informant's Brother-in-law

and three unknown persons came at the spot and they assaulted him. The Applicant assaulted him with Wooden Stick in his head. The others assaulted him by leg and fist blows. After assaulting, all the assaulters left the spot. The incident was reported to the Police Station and the above referred Crime came to be registered.

3. The Papers on record shows that, the relations between the Informant and his Wife are strained. The Informant's Wife i.e. Daughter of the Applicant have lodged the criminal case bearing R.C.C. No.168 of 2025 for the offence punishable under Section 498-A of the Indian Penal Code (for short, 'I.P.C.') and case bearing PWDVA No.301 of 2025 and an Application under Section 125 of the Code of Criminal Procedure, against the Informant. There are cross FIRs by the Informant's Wife i.e. the Applicant's Daughter with the same Police Station out of the same incident dated 22.08.2025 pursuant to which Crime registered against the Informant for the offence punishable under Sections 115 (2), 119 (1), 296, 3 (5), 351 (2), 351 (3) and 352 of the BNS.

4. The role attributed to the Applicant is the assault by Wooden Stick in the head of the Informant. The learned Additional Sessions Judge, Aurangabad in the order dated 29.08.2025 have observed that, '*prima facie*, though, the injury is sustained in the head, the Informant was not admitted in the Hospital and he was discharged'. The weapon –

Wooden Stick in the crime is reported to the Police. Considering these aspects, I find merit in the submission of the learned Advocate for the Applicant that, the false implication of the Applicant cannot be ruled out. Thus, *Prima facie* case is made out for Interim Protection. Hence, the following order.

O R D E R

- i) Issue notice to the Respondent, returnable on **22.09.2025**. The learned A.P.P. waives service of notice for the Respondent - State.

- ii) Till the next date, in the event of arrest of the Applicant, namely, Shankar Rupa Pawar in connection with Crime No.343/2025 registered with the Cantonment Police Station, Chhatrapati Sambhajanagar for the offence punishable under Sections 109, 189(2), 190, 191 (2), 191(3), 351(1), 351(3), 352 of the BNS, he be released on bail on executing P.B. of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(NEERAJ P. DHOTE, J.)