IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3477 OF 2025

Dilip Rohidas Pawar & Anr. …Applicants
Versus
The State of Maharashtra …Respondent

Mr. Ranjeet M. Pawar, for the Applicants.
Mr. S. M. Mangaonkar, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 19th DECEMBER 2025

PC:-

1. Heard Mr. Pawar, learned Counsel appearing for the Applicants and Mr. Mangaonkar, learned APP appearing for the Respondent-State.

2. The Applicants are seeking pre-arrest bail in this Application filed under Section 482 of Bharatiya Nagrik Surksha Sanhita, 2023 in connection with C.R. No.245 of 2025 registered with Baramati City Police Station, District-Pune for the offences punishable under Sections 109, 189(2), 189(4), 190, 191(2), 191(3), 118(1), 115 (2), 352, 351 (2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 ("**BNSS**").

3. The prosecution case is set out in paragraph No.4 of the order dated 1st December 2025 passed by the learned Additional Sessions

Judge, Baramati, District-Pune in Criminal Bail Application No.917 of 2025, which reads as under:

> "*4. On 15.07.2025, while admitted in Giriraj Hospital, Baramati, complainant-Rohidas Chima Dhotre made statement to Baramati City Police Station alleging that on that day at 10.30 a.m., he, his neighbour and relatives had been to temple for darshan and at about 11.55 a.m., he, cousin Arjun Hanumant Dhotre, wife Archana, son Sachin and his wife Puja with Aslam Pathan and Harishchandra Pawar reached on the bridge at Panchshil Nagar. At that time, accused-Ganesh Pawar and five others approached from rear side with axe, sickles and lathi, wherein, accused Ganesh held axe. All suddenly assaulted complainant, out of whom, accused-Ganesh uttering to kill the complainant, hit the axe from reverse side on the back of his head; accused-Jalindar Pawar manhandled him, threatened and assaulted him with sickle; present accused Dilip Pawar also manhandled him and assaulted by sickle with threats and abuses; accused-Chhotya alias Vitthal Pawar and present accused-Suresh Pawar similarly abused, threatened him and assaulted with sickles; and accused Chandrakant Pawar hit wooden log on right knee injuring complainant. Complainant's cousin Arjun Hanumant Dhotre was caught by present-accused Suresh from back, and then, accused Chhotya alias Vitthal Pawar injured him with sickle behind his left ear. On such report, FIR was registered and investigation is sought to be made from present accused by taking them into custody.*"

4. It is the submission of Mr. Pawar, learned Counsel appearing for the Applicants that there are cross complaints. The injuries are simple in nature. The Applicants are accused Nos.3 and 5. The role attributed to the Applicants is that they have assaulted the injured

with fists and kicks and abused the First Informant. Mr. Pawar, learned Counsel submits that wrongly the learned Additional Sessions Judge has assumed that the Applicant No.2-Suresh (accused No.5) has assaulted the injured with sickle. Mr. Pawar, learned Counsel submits that charge sheet has already been filed against the Co-Accused who has been arrested and therefore, investigation is substantially completed.

5. On the other hand Mr. Mangaonkar, learned APP strongly opposes Application. He submits that the weapon used in the crime is to be recovered. Mr. Mangaonkar, learned APP further submits that there is one antecedent. Therefore, the Anticipatory Bail be not granted.

6. Perusal of the record shows that the role attributed to the presents Applicants is that they have abused and assaulted the injured with fists and kicks. The injuries are simple in nature. The Accused No.1 and 4 were arrested and released on regular bail. Charge sheet has already been filed against them. Thus, the substantial investigation is completed.

7. Although there is one antecedent, the same is of the year 2022. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

O R D E R

(a) In the event of arrest of the Applicant No.1-Dilip Rohidas Pawar and the Applicant No.2-Suresh Rohidas Pawar in connection with C.R. No.245 of 2015 registered with the Baramati City Police Station, Baramati, District-Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.

(b) The Applicant shall attend the Baramati City Police Station, Baramati, District-Pune, on 29th December 2025 and 30th December 2025 between 11:00 a.m. to 02:00 p.m. and shall co-operate with the investigation.

(c) The Applicant shall attend the Baramati City Police Station, Baramati, District-Pune as and when called by the Investigating Officer and shall co-operate with the investigation.

(d) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer and

shall keep the same updated, in case of any change thereto.

(e) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(f) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(g) The Applicants shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]