

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 753 OF 2025

Devanand Pandurang Jadhav & Ors.

..... Applicants

VERSUS

The State of Maharashtra

..... Respondent

Mr. Meghashyam Kocharekar for the Applicants.

Mr. Nitin B. Patil, A.P.P. for the State.

Mr. Nana Y. Malche, I.O., Bhiwandi Taluka Police Station, Thane Rural present.

CORAM : RAJESH S. PATIL, J.

DATE : 26th MARCH, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with FIR No. 0056 dated 13th February, 2025 registered with Bhiwandi Taluka Police Station, Thane Rural for the offence punishable under Sections 117(2), 117(3), 117(4), 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the allegations made in the complaint, an FIR has been lodged. The role of the present applicants has been mentioned in the said complaint.

3. On 18th March, 2025, this Court passed following order :-

1. The learned APP submits that the injury certificate from the District Government Hospital, regarding injuries inflicted on the head, abdomen, chest, and upper lip, will be available in four days.
2. The learned Advocate for the applicant submits that the informant was not admitted to the hospital even for a single day, and the injuries sustained by him are of a simple nature. In fact, the informant participated in a cricket tournament last week. Photographs to that effect will be produced on the next date of the hearing.
3. In order to allow the learned APP to produce the medical certificate and the learned Advocate for the applicant to produce photographs of the informant participating in the cricket tournament, the matter is adjourned accordingly.
4. Stand over to 26 March 2025 under the caption "For Urgent Circulation".

4. Today the learned A.P.P has submitted the injury certificate of the complainant Mr.Manoj Krishna Mhatre. On going through the injury certificate of Indira Gandhi Memorial Sub-District Hospital Bhiwandi, District Thane and Rainbow Hospital, Bhiwandi, the injury to the complainant appears to be simple.

5. In the present crime, no weapons were used by the present applicant as per the allegations made in the FIR. Though there is antecedent against the applicant nos. 1 and 3. The applicant no.1 has been acquitted and the applicant no.3 has been granted bail.

6. After going through the FIR and the documents on record, it is a

fact that the injury to the complainant is simple. No weapon was used. I am of the view that the applicant has not pre-determine to injure the complainant. Hence, *prima facie* at this stage, the arrest of the present applicants is not necessary. Hence, the following order :-

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with FIR No. 0056 dated 13th February, 2025 registered with Bhiwandi Taluka Police Station, Thane Rural for the offence punishable under Sections 117(2), 117(3), 117(4), 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant shall be released on bail, on furnishing P.R. bonds to the extent of Rs.30,000/- each with two or more sureties of the like amount.
- (c) The applicants shall co-operate with the investigation and attend and meet the Investigating Officer of the concerned Police Station on 7th April, 2025 and thereafter every Monday between 11:00 a.m. to 1:00 p.m. till filing of the charge-sheet.

(d) The applicants will not contact the complainant, complainant's family members and the witnesses.

(e) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(f) The applicants shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

7. The anticipatory bail application is disposed of.

[RAJESH S. PATIL, J.]