

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No.786 of 2025

1. Alka Bhagwan Wankhede (Accd No.3)
Age 50 years, Occ.- House Maker,

2. Akash Bhagwan Wankhede (Accd No.2)
Age 32 years, Occ.- Labour,

3. Abhishek Bhagwan Wankhede (Accd No.1)
Age 50 years, Occ. – Driver.
All R/o. Nagarsul, Tal. Yeola,
District – Nashik.

... Applicants

versus

The State of Maharashtra
through Yeola Taluka Police
Station, Dist. Nashik.

...Respondent

Mr Ranjit G Jadhav, for the Applicants.
Mr Yogesh Y Dabke, APP, for Respondent / State.
PSI Prallahad Pawar, Yeola Taluka Police Station, Nashik, is
present.

**Coram: R.N. Laddha, J.
Date: 24 June 2025**

P.C.:

By this application, the applicants seek pre-arrest bail in connection with CR No.70 of 2025, registered at Yeola Police Station, Nashik, for offences punishable under Sections 121(1), 121(2), 223, 351(2), 351(3) and 352 read with 3(5) of the

Bharatiya Nyaya Sanhtia, 2023, and Sections 135 read with 37(1) and (3) of the Maharashtra Police Act, 1951.

2. It is the case of the prosecution that on 11 February 2025, during his Bandobast duty for the HSC examinations at New English School in Nagarsul, the informant noticed applicant No.3 wandering around the school campus and causing a disturbance. In response, the informant, along with the Deputy Director of the Exam Centre and a teacher, asked him to leave the premises. However, applicant No.3 reacted angrily, verbally abusing the informant and the Bandobast staff. Following this, he called his mother and brother, applicants No.1 and 2, who joined in with the abusive behaviour toward the informant and the Home guards on duty. The situation quickly escalated when applicant No.3 grabbed the informant by the collar, threatening to frame him in an atrocities case. He also manhandled him and, along with the other applicants, hindered the informant from carrying out his duties.

3. Mr Ranjit Jadhav, the learned Counsel appearing on behalf of the applicants, asserts the applicants' innocence and contends that the informant was not included in the list of personnel assigned Bandobast duty on 11 February 2025. Consequently, at the relevant time, the informant was not fulfilling his responsibilities as a public servant. There are no

allegations suggesting that the applicants voluntarily caused harm or grievous injury to deter the home guards from performing their duties. Further, the learned Counsel submits that the applicants have been falsely implicated in the crime. The investigation has been concluded, and nothing is to be recovered or discovered from the applicants. The applicants are ready and willing to comply with any conditions set forth by this Court in the event of their release on bail.

4. Mr Yogesh Dabke, the learned Additional Public Prosecutor representing the respondent/ the State, opposing the applicants' request for pre-arrest bail, contends that the offence in question is both serious and severe. While the learned APP concedes that the investigation is now complete and there is nothing to be recovered or discovered at the applicants' behest, he expresses concerns regarding the potential evidence tampering and witness influence should the applicants be granted bail.

5. Upon a careful perusal of the material on record, particularly the contents of the FIR, it appears that while all the applicants are allegedly to have engaged in verbal abuse directed at the informant and other personnel, the allegation of physical intimidation is specifically attributable only to applicant No.3, who is accused of having threatened the

informant by grabbing him by the collar. It is, however, not the case of the prosecution that the informant sustained any physical harm during the alleged incident. Furthermore, the learned APP acknowledges that the investigation has concluded and that nothing is to be recovered or discovered from the applicants. To mitigate the prosecution's apprehensions about evidence tampering and witness interference, appropriate conditions can be imposed. In light of the aforementioned considerations, and particularly the completion of the investigation as well as the nature of allegations, this Court finds it just and appropriate to exercise its discretion in favour of the applicants. Hence, the following order:

ORDER

- (i) In the event of the applicants' arrest in connection with CR No.70 of 2025, registered at Yeola Police Station, Nashik, they shall be released on bail upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.
- (ii) The applicants shall attend the concerned Police Station as and when required till the filing of the charge sheet.
- (iii) The applicants, themselves or through

any other person, shall not tamper with the evidence or influence witnesses.

6. The application is disposed of accordingly.

(R.N. Laddha, J.)