

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2674 OF 2025**

Maruti Tukaram Bhangire	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.2675 OF 2025**

Popat Tukaram Bhangire	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Aniket Nikam (through Video Conferencing) a/w. Ms. Abhilasha Pawar i/b. Mr. Sumit Patil, for the Applicants.
Mr. S. A. Karmakar, APP, for the Respondent-State in ABA/2674/2025.
Mr. A. R. Metkari, APP, for the Respondent-State in ABA/2675/2025.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 26th SEPTEMBER 2025**

PC:-

1. Heard Mr. Nikam, learned Counsel appearing for the Applicants, Mr. Karmakar, learned APP appearing for the Respondent-State in Anticipatory Bail Application No.2674 of 2025 and Mr. Metkari, learned APP appearing for the Respondent-State in Anticipatory Bail Application No.2675 of 2025.

2. Both these applications are filed under Section 482 of the Bharatiya Nyaya Suraksha Sanhita, 2023 (“**BNSS**”) by which the Applicants are seeking pre-arrest bail in connection with C.R. No.210 of 2025 registered with Vadgaon-Nimbalkar Police Station, Pune, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

3. The Applicant-Maruti Tukaram Bhangire in Anticipatory Bail Application No.2674 of 2025 is accused No.2 and the Applicant-Popat Tukaram Bhangire in Anticipatory Bail Application No.2675 of 2025 is accused No.1. The Applicant-Popat Tukaram Bhangire in Anticipatory Bail Application No.2675 of 2025 has filed Criminal Bail Application No.613 of 2025 before the learned Additional Sessions Judge, Baramati, Pune. By order dated 20th September 2025, the learned Additional Sessions Judge, Baramati, Pune, has rejected the said application. The prosecution case is set out in paragraph No.4 of the said order dated 20th September 2025, which reads as under:

“4. Complainant-Shrikant Manik Kutwal lodged a report to Wadgaon Nimbalkar Police Station on 23.08.2025, alleging that he is holding land in Gat No.100 of village Loni Bhapkar. In the year 1997

due to financial need, his father Manik Kutwal executed a sale-deed of 60 Rs. of land to one Riyaz Ahmad of Pune and 60 Rs. of land to Gulab Ghule of Pune, however, land was not mutated in name of Riyaz as he was not domicil of Maharashtra State and 7/12 extract continued in the name of Manik Kutwal. Thereafter, through the mediation of Gulab Ghule, on demand of Riyaz Ahamad, amount of consideration for 60 Rs. of land was refunded by his father to Riyaz, Thereafter, deceased Manik Kutwal mutated the said land in the name of daughter Manisha Khalate. However, in the year 2000, Gulab Ghule sold the land purchased by him from Manik to present accused-Popat Bhangire, and both accused Popat and Maruti used to come to field intermittently. In the year 2022, present accused-Popat after coming to know of the transaction with Riyaz Ahamad and decision of Revenue Authority, whereunder name of Riyaz Ahamad was recorded as holder of 60 Rs. of land, got the sathekhat executed in the name of his wife from Riyaz Ahamad, and her name was recorded in 7/12 extract. Thereafter, present accused and accused Maruti had been to the said field and threatened that no one would obstruct them, and that complainant, his father and sister should not cultivate the field as he has made application for measurement through government agency. The complainant objected the measurer for such measurement. However, on 03.04.2025, at about 11.00 a.m, complainant, his sister Manisha and father Manik had been to said field, and around 4.00 p.m., while doing agricultural work, present accused No.1- Popat Bhangire with his brother accused No.2-Maruti Bhangire approached there and started loudly abusing and threatening complainant's father. Complainant and his sister rushed there. At that time, both accused manhandled complainant's father with threats not to do any activities in the said field, else they would kill all of them. Thereafter, complainant, his father

and sister left the spot. Complainant noticed that his father was under mental stress. When his sister asked reason, father replied that accused persons would cause trouble to them in future on account of land and he did not want to live. His father apprehended that accused would kill them, and went to sleep without food. On 04.04.2025, at about 8.00 a.m., complainant's father went to field for watering, and complainant proceeded for cultivating. At about 5.00 p.m., when complainant returned home, his mother told that father did not return, so he rushed to field to see father. He found father lying besides the road and medicinal odour was emanating from mouth. Father told that he consumed poison due to threats given by accused persons. Complainant took his father to Silver Jubilee Hospital, and then to Government Medical College, and from there, to Sassoon Hospital, Pune on 05.04.2025. During treatment, he died on 11.04.2025. In the meanwhile, complainant's grandmother also died, and thereafter, complainant lodged report on 23.08.2025."

4. Thus, as per the prosecution case, there was some dispute regarding agricultural land and the Applicant abused and threatened the Complainant's father and manhandled him and threatened that they should not enter the agricultural field otherwise they would be killed. As per the prosecution case, this incident took place on 3rd April 2025 at about 04:00 p.m. and on 4th April 2025 as the father had not returned back from the field, search was taken and the father was found in unconscious state and it was found that he had consumed poison. The deceased was

admitted in the Silver Jubilee Hospital and then taken to Government Medical College and thereafter to Sassoon Hospital, Pune on 5th April 2025 and during treatment the father passed away on 11th April 2025.

5. It is the submission of Mr. Nikam, learned Counsel appearing for the Applicants that the allegations in the FIR even if accepted as it is then also, offence punishable under Section 108 of the BNS is not made out. He further submitted that the incident took place on 11th April 2025 and the FIR has been registered after more than 4 months i.e. on 23rd August 2025. He submits that the Applicants will cooperate with the investigation and the Applicants have no antecedents.

6. On the other hand, Mr. Karmakar, learned APP and Mr. Metkari, learned APP, strongly oppose the applications. They submits that the Applicants have given threats to the Complainant's father on 3rd April 2025 and immediately on 4th April 2025 he consumed poison and passed away during treatment on 11th April 2025. Therefore, the Applicants are involved in the crime. They therefore, submit that the Anticipatory Bail

Applications be rejected. On instructions, they states that the Applicants have no antecedents.

7. Perusal of the FIR shows that there is dispute between the family of the Applicants and the family of the Complainant with respect to the agricultural land. Admittedly, the incident took place on 5th April 2025 and father of the Complainant passed away on 11th April 2025. However, the FIR has been lodged after a period of about 4 months and 20 days i.e. on 23rd August 2025. Applicants have no antecedents.

8. Mr. Nikam, learned Counsel appearing for the Applicants states that the Applicants will cooperate with the investigation.

9. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant-Maruti Tukaram Bhangire in Anticipatory Bail Application No.2674 of 2025 and the Applicant-Popat Tukaram Bhangire in Anticipatory Bail Application No.2675 of 2025 in

connection with C.R. No.210 of 2025 registered with the Vadgaon-Nimbalkar Police Station, 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 Applicants shall attend the Vadgaon-Nimbalkar Police Station, Pune, on 6th October 2025, 7th October 2025 and 8th October 2025. In addition, the Applicants shall attend the Vadgaon-Nimbalkar Police Station, Pune, as and when called by the Investigating Officer.
- (c)** 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.
- (d)** 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.

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

10. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]