

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2746 OF 2025

Sandip Maruti Bhabad	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Aniket Vagal a/w Mr. Kunal Pednekar a/w Ms. Savvy Kolhekar
and Ms. Juhi Kadu, Advocates for Applicant.
Mr. A.R. Metkari, APP for the State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd October 2025

P.C.:

1. Heard Mr. Vagal, learned Counsel appearing for the Applicant and Mr. Metkari, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with C.R. No.45 of 2025, registered on 15th February 2025, with M.I.D.C., Sinnar Police Station, Nashik Rural, for the offences punishable under Sections 74, 109(1), 118(1), 115(2), 333, 189(2), 189(4), 191(2), 190, 352, 351(2), 324(4) of the Bharatiya Nyay Sanhita, 2023 (“**B.N.S.**”).

3. The prosecution case is set out in paragraph No.3 of the Anticipatory Bail Application. The said paragraph No.3 reads as under :.

“3. The informant Phulchand reported to the police that his in-laws resides at village Datli. The accused are closed relatives of his in-laws residing in same village. His in-laws are having political differences with the accused. On 14/02/2025 after receiving information about an incident he went to the Bhudki vasti and saw that accused Sagar (deceased) were hurling abuses in intoxicated conditions with some other persons. After some time accused Atul, Samadhan, Onkar, Pranav, Sagar, Nirmala, Ujjwala, came at the spot yielding iron rods, sickles and swords. Then all accused forced into houses of Shivram Bhabad and in the house of accused Sagar behaved indecently and outraged modesty of women in the house. Further all of them came out of the house and assaulted other victims. During assault the accused Sandip caused injury to Gorakhanath on head and hand with iron weapon with threats to kill him. Also, at that time other accused assaulted with iron rods, sickles also damages Scorpio vehicle. Subsequently, all injured took medical treatment at Sinnar and further registered instant report.”

4. It is the main submission of Mr. Vagal, learned Counsel for the Applicant that the Applicant is not involved in the crime. He submits that even as per the prosecution case, the Applicant has assaulted one Gorakhanath Somnath Bhabad by iron rod on his head and hand. He submits that the injuries suffered by Gorakhnath are simple in nature. He submits that the Applicant is the Police Constable and therefore, he will be easily available for investigation and also for trial. He submits that against other Accused, Charge-sheet has been filed and therefore, the Applicant be granted anticipatory bail.

5. Mr. Metkari, learned APP strongly opposes the Anticipatory Bail Application. Learned APP submits that the offence is serious and therefore anticipatory bail application be not granted.

6. Perusal of record shows that there is rivalry between two families i.e. the Applicant's family and the family of the First Informant. There is a cross-F.I.R. being C.R. No.44 of 2025, registered at M.I.D.C. Sinnar Police Station, Nashik Rural on 15th February 2025, for the offences punishable under Sections 103(1), 118(1), 118(2), 126(2), 189(2), 189(4), 190, 191(2), 324(4),

351(2), 352 of the Bharatiya Nyay Sanhita, 2023 (“**B.N.S.**”). In the said case, Sagar Bhabad i.e. the brother of the Applicant has been killed.

7. As far as the present Applicant is concerned, the only allegation against the Applicant is that he has assaulted Gorakhnath by means of iron rod. As per the injury certificate dated 19th February 2025 issued by Shivai Hospital, Nashik, the injuries are simple.

8. Although there is antecedent, the same is of the year 2020. Accordingly, the case is made out for grant of anticipatory bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant – Sandip Maruti Bhabad be released on bail in C.R. No.45 of 2025, registered on 15th February 2025, with M.I.D.C., Sinnar Police Station, Nashik Rural, for the offences punishable under Sections 74, 109(1), 118(1), 115(2), 333, 189(2), 189(4), 191(2), 190, 352,

351(2), 324(4) of the Bharatiya Nyay Sanhita, 2023, on his furnishing P.R. bond of Rs.50,000/- with one or two sureties in the like amount.

- (ii) The Applicant shall report to the M.I.D.C. Police Station, Nashik Rural twice a week i.e. on Monday and Thursday between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial.
- (iii) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicant 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.

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

(vi) The Applicant shall not leave India without permission of the Court.

9. The Anticipatory Bail Application is allowed and disposed of accordingly.

BHALCHANDRA
GOPAL DUSANE

(MADHAV J. JAMDAR, J.)

Digitally signed by
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