

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2761 OF 2025

Shivaji Narayan Sonawane	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ranjeet M. Pawar, for the Applicant.
Mr. C.D. Mali, APP, for the Respondent-State.
Mr. K.H. Wagaj, PSI, Yavat Police Station, Pune Rural, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 10th OCTOBER 2025

PC:-

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

2. By filing this Application under Section 482 of Bharatiya Nyay Suraksha Sanhita, 2023 (“**BNSS**”) the Applicant is seeking pre-arrest bail in connection with C.R. No.649 of 2025 registered with Yavat Police Station, Taluka Daund, District Pune, for the offences Punishable under Sections 110, 118(2), 126(2), 3(5)

351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023 (“BNS”).

3. The prosecution case is set out in paragraph 2 and 3 of order dated 26th September 2025 passed by learned Additional Sessions Judge, Baramati, District Pune in Criminal Bail Application No.703 of 2025 by which the Anticipatory Bail Application filed by the present Applicant has been rejected. The said paragraph Nos. 2 and 3 reads as under :-

“2]. The informant Swapnil Haridas Veer has filed report on 01/08/2025 against the accused/applicant and other accused persons alleging that on 30/07/2025 at about 12:30 noon, he went to Talathi office in their village. There he inquired with Talathi whether their office was opened Yesterday i.e. on 29/07/2025. Talathi has not replied. But, the accused/ applicant came there and started saying that 'he has open Talathi office, he can do anything, he is Kotwal and has right to open the office'. By saying so, the accused/applicant started abusing and threatening him saying that, he will file case under Atrocity Act against him. He took out his mobile phone and phone called his son Nayan and Sumit. By seeing that seen, the informant left that place and went to his house.

3] He takes his tractor and started proceeding to his land bearing Gat No.255. At that time, one white colour four-wheeler followed him, blow horn and gave him signal to stop. In that, two motorcycles also have followed that car, came in front of his Tractor and stop. So, the

informant has stopped his tractor. Accused Nayan Shivaji Sonawane, Sumit Shivaji Sonawane and Yash Suresh Sonawane get down from motorcycle pulled him from Tractor and started beating him Yash taken big stone lying over there and tried to hit on his head. The informant missed that blow but, the shine bit to his back. Due to that he sustained injury. Accused Sumit and Nayan started beating him by stick lying over there. All of them were abusing him. In that, the accused/applicant came there and started instigating other accused persons saying that "आता सोडायचे नाही, जीवे मारून टाकायचे". The accused/applicant has abused him and threatened to kill. His brother Pandurang came there by hearing the commotions and loud shouts. He rescued him. Thereafter, he gone to police station. Police gave him yadi and referred to hospital. Medical officer examined him and gave treatment. Thereafter, on next date i.e. on 01/08/2025 came to police station and filed report against accused persons".

4. It is submission of Mr. Pawar, learned Counsel appearing for the Applicant that the main allegations are against the Applicant's son. He submits that Applicant is working as Kotwal at village Kasurdi, Taluka Daund District Pune and he was not present when the incident took place and to substantiate same he relies on affidavit of Sanjay Khade i.e. Talathi. He submits that all the injuries are simple in nature and in any case as far as the injuries are concerned no role is attributed to the present Applicant. He submits that during the investigation it has transpired that the offence is not under Section 118(2) and the same is under Section 118(1) of BNS. He further submits that as the First Informant is

from same village i.e. Kasurdi Taluka Daund, District Pune, the Applicant will apply for transfer from village Kasurdi, Taluka Daund to any other village.

5. Mr. Mali, learned APP strongly opposes the Anticipatory Bail Application.

6. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant - Shivaji Narayan Sonawane in connection with C.R. No. 649 of 2025 registered with Yavat Police Station, Taluka Daund, District Pune the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station on every Sunday between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicant shall

attend the concerned Police Station as and when called.

- (c) 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.
- (d) 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.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

7. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]