

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

ANTICIPATORY BAIL APPLICATION NO.2960 OF 2025

1. Surekha Narayan Bhuyal	
2. Dattatray Pandurang Bhuyal	
3. Madhuri Dattatray Bhuyal	
4. Mayur Bhaskar Bhuyal	... Applicants
V/s.	
State of Maharashtra & Anr.	... Respondents

Mr. Veerdhawal Kakade for the Applicants.

Ms. Rutuja Ambekar, APP for Respondent No.1-State.

Mr. Abhijit P. Kulkarni i/by Sweta Shah a/w Shreyas Zarkar, Gaurav Sahane & Abhishek Ray for Respondent No.2.

PSI Sudhir S. Sathe, Chitalsar PS, Thane is present.

CORAM : N.R. BORKAR, J.

DATE : 06TH NOVEMBER 2025

PC. :

1. This is an Application for anticipatory bail.

2. Learned Counsel for the Applicants, on instructions, seeks leave to withdraw the present Application *qua* Applicant Nos.2 and 4. Leave as sought for is granted.

3. The Applicant Nos.1 and 3 are apprehending their arrest in Crime No.315 of 2025 registered with Chitalsar Manpada Police Station, Thane for the offences punishable under Sections 329, 324(5), 324(4), 192, 191(2), 191(1), 190, 189, 118(1) of the Bharatiya Nyaya Sanhita, 2023.

4. It is the case of the prosecution that on the date of incident, which took place on 22nd June 2025, the present Applicants and other co-accused came to the place of incident with JCB and started demolishing the shops owned by the grandfather of the first informant. It is alleged that when the first informant and his mother came there to prevent them from doing so, they assaulted them by iron rod and glass bottle. It is alleged that the Applicant Nos.1 and 3 and other co-accused have illegally demolished the shops owned by the grandfather of the first informant.

5. I have heard Learned Counsel for the Applicants, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2-first informant.

6. Learned Counsel for the Applicant Nos.1 and 3 submits that shops in question were constructed by encroaching upon the land owned by the Bhuyal family of which the Applicant Nos.1 and 3 are the family members. It is submitted that Applicant Nos.1 and 3 are women and they have nothing to do with the alleged crime. It is submitted that the Applicant Nos.1 and 3 are made accused because, they are family members of Bhuyal family. It is submitted that nothing is to be recovered from the Applicant Nos.1 and 3 and thus there is no need of their custodial interrogation. It is submitted that the Sessions Court has granted anticipatory bail to the other similarly circumstanced co-accused.

7. On the other hand, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2-first informant submit that the

shops in question were constructed in the year 2018 on the basis of valid documents. It is submitted that the Applicant Nos.1 and 3 assaulted the first informant by umbrella. It is submitted that considering the nature of crime, Applicant Nos.1 and 3 may not be released on anticipatory bail.

8. I have perused the FIR. The fact that the Sessions Court has granted anticipatory bail to some of the co-accused is not disputed. I have perused the injury certificate. According to the first informant, the Applicant Nos.1 and 3 have assaulted him by umbrella, however, there are no injuries in the injury certificate to that effect. The injury sustained by the first informant on his head is attributed to co-accused Mayur Bhuyal. Considering the overall facts and circumstances of the case, I am inclined to release Applicant Nos.1 and 3 on anticipatory bail. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is partly allowed.
- ii. The Application *qua* Applicant Nos.2 and 4 is disposed of as withdrawn.
- iii. In the event of the arrest of Applicant No.1 Surekha Narayan Bhuyal and Applicant No.3 Madhuri Dattatray Bhuyal in Crime No.315 of 2025 registered with Chitalsar Manpada Police Station, Thane for the offences punishable under Sections 329, 324(5), 324(4), 192, 191(2), 191(1), 190, 189, 118(1) of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.
- iv. Applicant Nos.1 and 3 shall attend the concerned Police Station as and when called for by the investigating officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)