IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 ANTICIPATORY BAIL APPLICATION NO. 1083 OF 2026

DEVIDAS LAXMAN PRADHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Mr. Mahesh P. Kale, Advocate for Applicants
Ms. R. P. Gour, APP for the Respondent/State

CORAM : R. M. JOSHI, J.
DATED : 5th OCTOBER, 2026

PER COURT :-

1. Applicants seek pre-arrest bail in connection with Crime No. 197/2026, registered with Georai Police Station, District Beed, for the offences punishable under Sections, 109(1), 118(1), 189(2), 190, 191(2), 191(3), 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita.

2. The First Information Report came to be lodged on 29.03.2026 in respect of an incident which occurred on 24.03.2026 at about 06:00 p.m. The allegation of assault on the Informant-Sandip and witness Bunty is against the co-accused and not against the present Applicants. As far as the present Applicants are concerned, the allegation is that Applicant Nos. 1 and 2 assaulted Rohit and Kailas, whereas Applicant No. 3 was present at the spot with a weapon.

3. Learned Advocate for the Applicants submits that there is a delay in lodging the First Information Report, which creates a possibility of false implication/over-implication. According to him, Applicant No. 3 has admittedly not caused assault to anyone and, as such, the interim relief granted to him deserves to be confirmed.

4. Learned APP opposed the grant of any protection to the Applicants by referring to the allegations against them in the First Information Report, which, according to her, are supported by the injury certificate on record as well as the statements of the eye-witnesses. She further submits that the Applicants are stated to have carried weapons and, therefore, they are required to be directed to appear before the Investigating Officer.

5. *Prima facie*, perusal of the record does not indicate any injury caused to Rohit which is attributable to Applicant Nos. 1 and 2. As far as Applicant No. 3 is concerned, admittedly, he has not caused assault to anyone. Hence, the following order:

ORDER

(i) Application of Applicant No.3 is allowed in terms of interim order dated 29.06.2026.

(ii) Application of Applicant Nos.1 and 2 is allowed in following terms.

(a) In the event of arrest of Applicant Nos.1 and 2 in connection with Crime No. 197/2026, registered with Georai Police Station, Dist. Beed, for the offence punishable under Sections 109(1), 118(1), 189(2), 190, 191(2), 191(3), 352, 351(2), 351(3) of Bharatiya Nyaya Sanhita, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one solvent surety in the like amount.

(b) They shall not contact the witnesses directly or indirectly.

(c) They shall not interfere with the evidence in any manner whatsoever.

(d) They are further directed to cooperate the investigating agency for further investigation.

(e) Applicant Nos.1 to 3 are directed to appear before the Investigating Officer on 07.10.2026 and 09.10.2026 between 11.00 a.m. to 1.00 p.m.

(f) Learned APP for the Respondent/State to communicate this order to the concerned Police Station.

(R. M. JOSHI, J.)

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