IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1333 OF 2026

Jumma Alias Jumsing Chandrasing Barela And Others
VERSUS
The State Of Maharashtra And Another

Mr. J. V. Patil, Advocate for applicants
Ms. R. R. Tandale, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 19th NOVEMBER, 2026

PER COURT :-

1. Applicants seek pre-arrest bail in connection with Crime No. 0119 of 2026 registered with Adawad Police Station, Dist. Jalgaon, for the offences punishable under Sections 118(1), 118(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First Information Report indicates an incident had occurred on 03.06.2026 at about 07:00 AM in which present applicants and co-accused said to have assaulted informant and witnesses. In the said assault stick and stones were used.

3. Learned Counsel for applicants submits that in respect of the same incident, counter reports are lodged which indicates possibility of free fight as well as false/over implication. According to him, even

applicants side sustain injuries as reflected in the report lodged by the Vinesh in the concerned police station considering the possibility of liberty of applicants against whom there are no criminal antecedents.

4. Learned APP opposed grant of any protection to the applicants by contending that injury certificates of informant and witnesses indicates causing of grievous injury to them. According to her, considering the nature of allegations and use of weapons in the said assault, this is not a case for grant of pre-arrest bail.

5. Perusal of the record *prima facie* indicates that incident had occurred on 03.06.2026 as appeared in two reports lodged by both sides. The First Information Report lodged on the side of applicants also indicates that the informant therein was taken to the Primary Health Care Centre and was treated by the Medical Officer. Thus, this Court finds substance in the contention of learned Counsel for applicants that this could be a case of free fight as such this is difficult to attribute injury particularly on any of the applicant. Having regard to the afore stated facts and more particularly, there are no criminal antecedents against applicants, this Court finds it appropriate to protect liberty of the applicants. For the purpose of recovery of weapon, if any, applicant be treated in the custody of police. Hence, the following order :-

O R D E R

(i) Application stands allowed.

(ii) In the event of arrest of applicants in connection with 0119 of 2026 registered with Adawad Police Station, Dist. Jalgaon, for the offences punishable under Sections 118(1), 118(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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.

(iii) Applicants are directed to appear before Investigating Officer on 26.11.2026 and 27.11.2026 between 11:00 AM to 01:00 PM.

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

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

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

(R. M. JOSHI, J.)

B. S. Joshi