IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1716 OF 2026

Sanjay Tryambak Jaybhaye And Another
VERSUS
The State Of Maharashtra And Another

WITH ANTICIPATORY BAIL APPLICATION NO. 1718 OF 2026

Sachin Subhash Jaybhaye
VERSUS
The State Of Maharashtra And Another

Mr. S. V. Mundhe, Advocate for applicants
Mr. S. P. Joshi, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 08th OCTOBER, 2026

PER COURT :-

1. Applicants seek pre-arrest bail in connection with Crime No. 0087 of 2026 registered with Malkoli Police Station, Dist. Nanded, for the offences punishable under Sections 117(2), 118(2), 189(2), 190, 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

2. First Information Report lodged on 27.06.2026 indicates that an incident had occurred on 23.06.2026 at about 10:00 PM in which informant and witness Vitthal were assaulted by the present applicants and the co-accused. Perusal of the First Information Report indicates that there is allegation against co-accused of causing assault on them with

iron rod. As far as present applicants are concerned, they said to have assaulted informant and witness with sticks.

3. Learned Counsel for applicants submits that considering the dispute between the parties, possibility of false implication is not ruled out. According to him, there are no specific allegations against present applicants of causing any injury and in the facts of the case, it is not possible that the informant in the head light of motor cycle could have seen the actual assault and would attribute the injuries to the assailants.

4. Learned APP opposed grant of any protection to the applicants by referring to the injury certificate as well as statement of independent witness.

5. *Prima facie*, perusal of the injury certificate indicates that there are no injuries corresponding to the allegations made against present applicants of causing the same. There is one grievous injury caused to the informant which is attributable to the co-accused Nagnath. Having regard to the possibility of false/over implication, this is a fit case to protect liberty of the applicant. For the purpose of recovery of weapon, applicants have directed to appear before the Investigating Officer till filing of charge sheet and they should be treated in custody of the police.

ORDER

(i) Applications are allowed.

(ii) In the event of arrest of applicants in connection with Crime No. 0087 of 2026 registered with Malkoli Police Station, Dist. Nanded, for the offences punishable under Sections 117(2), 118(2), 189(2), 190, 191(3), 351(2), 352 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) They shall attend the concerned police station once in a week till filing of charge sheet.

(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