2026:BHC-AUG:51115

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1740 OF 2026

Ganesh Raosaheb Padolkar And Others
VERSUS
The State Of Maharashtra

Mr. A. A. Nimbalkar, Advocate for applicants
Mr. A. R. Kale, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 22nd OCTOBER, 2026

PER COURT :-

1. After hearing learned Counsel for both sides and when this Court has shown its disinclination to grant any relief to applicant Nos. 1 and 3, learned Counsel for applicant Nos. 1 and 3, on instructions, seeks withdrawal of the application.

2. Application stands dismissed as withdrawn qua applicant Nos. 1 and 3.

3. As far as applicant No. 2 Raosaheb Padolkar is concerned, he seeks pre-arrest bail in connection with Crime No. 0412 of 2026 registered with Ahilyanagar Taluka Police Station, Dist. Ahilyanagar for the offences punishable under sections 118(1), 115(2), 324(4), 189(2), 190, 119(2), 191(3), 119(1), 333 of the Bharatiya Nyaya Sanhita.

4. First Information Report indicates that an incident had occurred on 10.05.2026 at about 01:30 PM in which present applicant and co-accused came to the house of informant with weapons in their hands and caused assault on the informant and witnesses. There is allegation with regard to the snatching of gold chain by Bapu.

5. Learned Counsel for applicant No. 2 submits that though there is allegation against applicant of he being present at the spot and having thrown chilly powder on the informant and witness, panchnama of the spot does not support the said allegation. It is his submission that considering the dispute between the parties, possibility of false/over implication is not ruled out.

6. Learned APP opposed grant of any protection to the applicant by referring to the charge sheet more particularly the transcript of CCTV footage of the incident indicating that the applicant is seen to have been throwing chilly powder on the informant and victim. It is his contention that considering the manner in which independent incident is occurred, common intention of the applicant with co-accused can be inferred. No doubt, in the CCTV footage, there is reference about applicant having seen chilly powder throwing, the said allegation does not get support from the spot panchanama from where no such chilly powder is seized. There is no dispute about the fact that parties are at loggerhead and

their exists civil dispute between them, possibility of false/over implication is not ruled out. Having regard to the nature of allegations, liberty of the applicant No. 2 deserves to be protected. Hence, the following order :-

ORDER

(i) Application is partly allowed.

(ii) In the event of arrest of applicant No. 2 – Raosaheb Jaywanta Padolkar in connection with Crime No. Crime No. 0412 of 2026 registered with Ahilyanagar Taluka Police Station, Dist. Ahilyanagar for the offences punishable under sections 118(1), 115(2), 324(4), 189(2), 190, 119(2), 191(3), 119(1), 333 of the Bharatiya Nyaya Sanhita, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.

(iii) He shall attend the concerned police station as and when called by the Investigating Officer.

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

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

(vi) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

B. S. Joshi