IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

25 ANTICIPATORY BAIL APPLICATION NO. 1735 OF 2025 WITH
CRIMINAL APPLICATION NO. 4500 OF 2025
IN ABA/1735/2025

1. Ganesh Ramnath Jadhav

2. Ramnath Ganpat Jadhav ....Applicants

VERSUS

The State of Maharashtra & another .....Respondents

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Mr. Rohit Patwardhan, Advocate holding for Mr. S. S. Jadhav, Advocate for the Applicants.
Mr. S. P. Joshi, APP for the State.
Bangar Ravi Raosaheb, Advocate for Applicant

CORAM : R. M. JOSHI, J.
DATE : 12th OCTOBER, 2026.

PER COURT :

1. Applicants seek pre-arrest bail in connection with Crime No. 0427/2024, registered with Ambad Police Station, District Jalna, for the offences punishable under Sections 74, 118(2), 118(1), 115(2), 189(2), 191(2), 191(3), 190, 352, 351(2), 49 of Bharatiya Nyaya Sanhita.

2. First Information Report indicates that on 28.09.2024, the incident occurred in which the informant and witnesses were assaulted by the Applicants and co-accused with weapons. There are

allegations in the First Information Report with regard to the over act committed by the assailants.

3. Learned Counsel for the Applicants submits that in respect of the same incident, Applicant No. 1 has lodged report which is first in time. It is his submission that present report is by way of counter report. He drew attention of the Court to the document on record which indicates that there are serious disputes between the parties over landed property. According to him, infact the Applicants have sustained injuries which indicate that it is a case of fight between the two groups and informant's side was aggressor. Thus, it is his submission that it would be difficult to attribute any intention to the Applicants of causing any particular injury. According to him, charge-sheet has already been filed and as such this is not a case wherein custodial interrogation of the Applicants is necessary.

4. Learned APP and learned Counsel for the informant opposed grant of any protection to the Applicants by contending that there are specific allegations against them in the First Information Report. It is their contention that the said allegations get support from the injury certificate on record. Learned Counsel for the informant submits

that the weapons as well as the vehicle used in the crime is yet to be recovered and as such, this is not a case of grant of pre-arrest bail.

5. Prima facie perusal of the record indicates that in respect of the same incident occurred on 28.09.2024, counter reports are lodged. There is dispute between the parties. It is pointed out to this Court that the mother of Applicant No. 1 had lodged report in respect of occurrence of incident with her against informant's side. Apart from this, the documents on record indicate that both sides sustained injuries. Thus, this is a case of free fight between both the groups. In such circumstances, it is difficult to attribute intentional injuries to the present Applicants. charge-sheet has been filed. For recovery, if any, Applicants can be treated in the custody of the police. Hence, the following order :-

ORDER

(i) In the event of arrest of applicants Ganesh Ramnath Jadhav and Ramnath Ganpat Jadhav, in connection with Crime No. 0427/2024, registered with Ambad Police Station, District Jalna, for the offences punishable under Sections 74, 118(2), 118(1), 115(2), 189(2), 191(2), 191(3), 190, 352, 351(2), 49 of Bharatiya Nyaya Sanhita, they be released on bail on

furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one surety in the like amount.

(ii) They shall attend the concerned police station on 15.10.2026 and 22.10.2026 and thereafter on written intimation.

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

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

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

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

6. Pending application, if any, does not survive and stands disposed of.

(R. M. JOSHI, J.)

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