



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

982 ANTICIPATORY BAIL APPLN NO. 447 OF 2025

**RAJU KADU BHAT
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.H.P.Randhir
APP for Respondent-State : Mr.S.A.Gaikwad
Advocate for the informant : Mr.R.R.Kazi

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**WITH
CRIMINAL APPLICATION NO. 1064 OF 2025
IN ABA NO.447/2025**

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CORAM : MEHROZ K. PATHAN, J.

DATE : 24.03.2026

P.C. :

1] Heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the informant.

2] The applicant has approached this Court seeking anticipatory bail in connection with Crime No. 513/2024, dated 21.11.2024, registered with Jalgaon City Police Station, Jalgaon for the offence punishable under Sections 191 (2), 191 (3), 190, 109, 118 (2), 352, 351 (3) of BNS.

3] The case of the prosecution is that crime is registered on the report of informant Raju Bismilla Patel. According to informant previously rival reports are lodged against accused and informant. On 20.11.2024 at about 9.00 a.m. informant, his son Faijan Raju Patel, nephew Rehan alias Janu Sanju Patel and his brother Mehmud Bismilla Patel were standing beside Milk Federation near Surat Railway Gate. At that time while passing from said place Vishal Ajay Surwade was abusing by seeing them and bickering started. At that time suddenly, Raj Ajay Surwade, Prem alias Chhotu Vijay Surwade, Siddharth Wankhede, Mangesh Balu Kajve came with wooden log in their hands, Dinesh Dipak Mane came with wooden plank in hand, Vicky Dipak Mane came with wooden stick and knife and assaulted on the informant and others. At the same time, Dipak Punaji Mane, Bhushan Pandit Rajan. niece of Ajay Surwade, Ajay Pandurang Surwade, applicant and Ravi Janjale assaulted them by pelting stone and bricks. At that time Vishal Ajay Surwade assaulted them by iron rod. Vishal Surwade, Vicky Mane, Prem Surwade assaulted informant by iron rod and wooden log and broken his head due to which he sustained grievous injury. At that time all accused were threatening to kill informant. Raju Surwade, Dinesh Mane, Ajay Surwade, Prem Surwade, Bhushan Rajan, Vishal Surwade assaulted informant's son Faijan Patel by the

weapon in their hands due to which he sustained grievous injury to his head, his hand sustained contusion, he also sustained bleeding injury to his brain. Informant's nephew and brother have also sustained grievous injury to their heads, hence, they are admitted in hospital. All the accused threatened to kill them. Hence the report.

4] The learned counsel for the applicant submits that this Court, vide order dated 07.05.2025, had protected the applicant on the condition that the applicant shall attend the Investigating Officer and co-operate with the investigation. The applicant has complied with the conditions and co-operated with the investigation. The entire investigation is already complete and the charge sheet is filed on 01.04.2025 by the prosecution. Even though the applicant is shown as absconding, the applicant has attended the police station in pursuance to the order dated 07.05.2025 and further investigation as against the present applicant is also complete. Thus, custodial interrogation of the applicant is not necessary.

5] The learned counsel for the applicant further submits that the allegations against the present applicant are general in nature. The complainant has stated role of many assailants in assaulting the complainant Raju Patel and his son Faijan Patel. The applicant is not having criminal antecedents and the applicant is ready to abide by

any conditions that may be imposed by this Court in addition to the conditions already imposed by this Court in its order dated 07.05.2025. Hence, the applicant may be released on anticipatory bail.

6] As against this, the learned APP vehemently opposes the present application on the ground that the applicant is involved in serious offence of attempt to commit murder. The offence is punishable for life imprisonment. There are direct allegations against the present applicant and the applicant is a member of unlawful assembly, which had common object of committing murder of the complainant and his son. The medical certificates of the injured Raju Patel and Faijan Patel show that they have received grievous injury. Even though the charge sheet is filed in the month of March, 2025, the applicant is shown as absconding and the applicant has attended the concerned police station. However, this is not fit case to grant anticipatory bail in favour of the applicant as there are serious allegations against the present applicant. Hence, the applicant may not be released on anticipatory bail.

7] The learned counsel for the applicant further submits that prior registration of the present FIR, one FIR bearing Crime No. 354 of 2022 is lodged against the present complainant, namely, Raju Patel on 20.11.2022 wherein the allegation of the applicant Raju Bhat is in respect of

circulating the video whereby Raju Patel is alleged of abusing the applicant Raju Bhat in the name of his caste by making derogatory remarks. Thus, the false implication of the applicant cannot be ruled out in the present crime. He further submits that there are only general allegations against the accused in respect of assaulting Raju Patel and Faijan Patel.

8] The learned counsel for the complainant also adopts the submissions of the learned APP and informs that the complainant and his son were badly injured in the incident. Perusal of the injury certificate shows that Faijan Patel has received injuries and was required to undergo treatment in the private Hospital for his injury. If the applicant is released on anticipatory bail, there is likelihood that the applicant may again involve in cognizable offence and cause prejudice to the prosecution. Hence, this is not fit case to grant anticipatory bail in favour of the present applicant.

9] I have gone through the investigation papers made available by the learned APP, which has now culminated into filing of the charge sheet, against the arrested accused person. The applicant was protected by this Court vide order dated 07.05.2025 and the applicant has attended the concerned police station. There is no report of violation of any conditions imposed by this Court.

The applicant is not having criminal antecedents. On the other hand, there are allegations that the present FIR is counter to the FIR No.511/2024 filed by the Vishal Surwade wherein the present complainant Raju Patel is one of the accused. The said complaint is filed for committing murder of Sidhdharth Wankhede, who is son-in-law of the co-accused Ajay Surwade. It appears that the incident has happened at the spur of moment without any intention. Be that as it may, these observations are prima facie in nature and the same may not influence the trial Court.

10] Taking into consideration that the applicant was protected vide order dated 07.05.2025. There is no report of violation of condition imposed by this Court, there appears to be no impediment to release the applicant on anticipatory bail. The apprehension of the learned APP as well as the learned counsel for the complainant can be taken care of by imposing condition upon the applicant. Hence, the following order :

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 07.05.2025 is hereby confirmed. The applicant is directed to attend the concerned police station on particular

dates i.e. on 30.03.2026, 31.03.2026, 06.04.2026, 07.04.2026, 13.04.2026 and 14.04.2026 and thereafter as and when called by the Investigating Officer till filing of the supplementary charge sheet, if any, against the present applicant.

- C) The Applicant shall also cooperate with the investigation.
- D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- E) The applicant shall not enter Rajmalati Nagar, Jalgaon, till filing of the supplementary charge sheet, if any, against the present applicant.

11] Needless to say, violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail.

12] The observations made herein above are prima facie in nature and shall not influence the Trial Court while deciding the case on its own merits.

13] The Anticipatory Bail Application is disposed of accordingly.

14] In view of disposal of Anticipatory Bail Application, Criminal Application No.1064 of 2025 is also disposed of.

[MEHROZ K. PATHAN]
JUDGE

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