



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

26 ANTICIPATORY BAIL APPLICATION NO. 923 OF 2025

Omkar Tukaram WaghmareApplicant

VERSUS

The State of MaharashtraRespondent

Mr. P. P. Giri, Advocate for Applicant.
Mrs. P. J. Bharad, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 8th JUNE, 2026.

PER COURT :

1. Applicant seeks pre-arrest bail in connection with Crime No. 258/2024 registered with Himayatnagar Police Station, District Nanded, for the offences punishable under Sections 109, 121(1), 3(5), 324(4) of Bharatiya Nyaya Sanhita, 2023, Sections 11(1)(a), 11(1)(e), 11(1)(f), 13, 5(a), 5(b) of Prevention of Animal Cruelty Act, 1960 and Sections 47(a), 48, 50, 56(c) of the Transport of Animals Rules 1978 and Section 125 of Maharashtra Motor Vehicle Rules, 1989.

2. In short, it is the case of the prosecution that on the fateful day i.e. intervening night of 25.10.2024 and 26.10.2024, the informant, who is a police constable, along with other police personnel, was discharging duties and barricades were placed on the road at the

relevant spot. It is further alleged that two four wheeler vehicles carrying cattle came to the spot and inspite of they being indicated to halt, one of the vehicles dashed against the barricades causing injuries to the injured. It is alleged that the said dash was caused in order to commit murder of the police personnel. As far as present applicant is concerned, he is not named in the First Information Report.

3. Learned counsel for the applicant submits that there is absolutely no evidence on record in order to connect the present applicant with the crime in question and according to him, the alleged statement of the co-accused is not evidence and hence, the applicant deserves pre-arrest bail.

4. Learned APP opposed the application citing seriousness of the crime.

5. *Prima facie* perusal of the charge-sheet indicates that except for the so called statement of the co-accused, there is no other evidence in order to connect the applicant with this crime. Applicant has no criminal history behind him. Applicant's liberty was protected by

this Court by order dated 18.06.2025. There is nothing on record to show that the applicant abused the said liberty. In the facts of the case, this Court finds no reason to reject the application. Hence, application is allowed by confirming the interim relief.

(R. M. JOSHI, J.)

dyb