



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1038 OF 2025

Yogesh Ramesh Kamathe

VERSUS

The State Of Maharashtra

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- Mr. A. B. Chormal, Advocate for Applicant
- Mr. P. M. Kulkarni, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 16.01.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 0198 of 2025, dated 23.02.2025, registered with Shirdi Police Station, Taluka Rahata, District Ahmednagar, for the offences punishable under Sections 118(2), 324(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. This Court, by order dated 22.07.2025, granted interim protection to the applicant by directing him to attend the concerned police station. Learned counsel for the applicant submits that the applicant has complied with the said directions and has cooperated

with the investigation.

4. It is submitted that the applicant has no criminal antecedents. It is further submitted that the applicant was not named in the FIR and has been implicated only on the basis of a supplementary statement, that too on suspicion, along with two unknown persons. The applicant is ready to abide by any conditions imposed by this Court and hence, interim order may be confirmed.

5. As against this, Learned APP strongly opposes the application on the ground that the injuries sustained by the complainant are CLW and shown to be grievous in nature. It is submitted that the offence alleged is serious and punishable with severe punishment. According to the prosecution, custodial interrogation of the applicant is necessary, particularly as the supplementary statement dated 03.03.2025 implicates the applicant as one of the assailants along with two unknown persons. It is further submitted that despite attending the police station pursuant to interim protection, the applicant has not disclosed the identities of the other assailants.

6. I have perused the investigation papers made available by the learned APP. The record indicates that the complainant sustained grievous injuries. The supplementary statement dated 03.03.2025 does implicate the present applicant; however, the complainant states that the applicant's name was not disclosed initially due to fear. At

the same time, there is no material indicating the basis on which the complainant suspected the applicant, nor is any specific motive attributed to the applicant.

7. Be that as it may, the observations made herein are prima facie and only for the purpose of deciding the present application.

8. Considering that the applicant has been under interim protection since 22.07.2025, has attended the police station as directed, has no criminal antecedents, and that further investigation can be carried out without custodial interrogation, the apprehension expressed by the prosecution can be addressed by imposing stringent conditions.

9. Hence, the following order is passed.

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. The interim order dated 22.07.2025 is hereby confirmed, subject to the following further conditions:
 - A) The applicant shall attend the concerned police station and report to the Investigating Officer every Saturday between 12:00 noon and 02:00 p.m., till filing of the charge-sheet.
 - B) The applicant shall not enter the village Rui, Tq. Rahata, Dist. Ahmednagar, till filing of the charge-sheet.

- C) The applicant shall furnish an alternate residential address outside the said jurisdiction to the Investigating Officer and shall not change the same without prior intimation.
 - D) The Applicant shall also cooperate with the investigation.
 - E) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - F) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.
10. Violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of bail.
11. The observations made herein are prima facie and shall not influence the Trial Court or any other Court while deciding the case on its own merits.
12. In view of the above, the application stands disposed of.
13. Pending applications, if any, also stand disposed of.

(MEHROZ K. PATHAN, J.)