



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

924 ANTICIPATORY BAIL APPLN. NO. 1049 OF 2025

PANDURANG VITHAL VAIDYA

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicant : Mr.A.R.Lukhe
APP for Respondent-State : Mr.R.K.Ingole

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CORAM : MEHROZ K. PATHAN, J.

DATE : 17.01.2026

P.C. :

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

2] The proceedings relate to CR No.0210 of 2025 dated 22 April 2025 lodged at 19:23 hours by Ambad Police Station, Jalna. The alleged offences are under Sections 105, 115 (2), 189 (2), 191 (2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"). The time and date of the alleged incident as mentioned in the FIR is between 21 April 2025 and 22 April 2025, 10:30 hours. There are three accused persons, out of which accused No.3 is the present Applicant. The informant is one Namdev Demaji Dhole, age 44 years.

3] This Court, vide order dated 3rd July, 2025, has protected the present applicant with a condition that the

applicant shall attend the concerned police station on every Monday and co-operate with the investigation.

4] The learned counsel for the applicant submits that the applicant has complied with the conditions imposed by this Court vide order dated 03.07.2025 and has attended the concerned Police Station and co-operated with the investigation. The learned counsel further submits that the incident has taken place at the spur of moment and the allegations against the applicant of assaulting the mother of the complainant with elbow and exaggerated to implicate the applicant and all family members of the applicant in the alleged crime. It is further submitted that even the allegations in the FIR would show that there was no intention to cause hurt to the mother of the complainant as there was quarrel going on between the brother of the complainant on one side and the applicant, his brother and the relatives of the applicant on other side. The applicant is not having any criminal antecedents and the applicant is ready to abide by any conditions that may be imposed by this Court. Thus, the applicant may be released on anticipatory bail.

5] The learned APP, on the other hand, strongly opposed the present application. It is submitted that even though the applicant has attended the concerned Police Station and co-operated with the investigation, the offence

being serious in nature the applicant may not be released on anticipatory bail.

6] I have gone through investigation papers, which shows that the investigation is almost complete. The statements of the witnesses have been recorded. The alleged injuries sustained, which is attributable to the assault, by elbow, by the present applicant. However, the record shows that there was no intention on the part of the assailants either to assault the mother of the complainant, nor any dangerous weapon was used in the quarrel by the assailants. Since the investigation is almost complete and the applicant has also attended the concerned Police Station, the apprehensions of the learned APP can be taken care of by imposing stringent condition. Hence the following order :

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 3rd July, 2025 is hereby confirmed. The applicant is directed to attend the concerned police station on every Monday and Tuesday till filing of the charge sheet.

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.

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

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

9] The Anticipatory Bail Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE

DDC