



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

910 ANTICIPATORY BAIL APPLICATION NO. 1059 OF 2025

**MAHARUDRA S/O. BABURAO BADADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr.K.S.Solanke
APP for Respondent-State : Mr.K.K.Naik
...

**CORAM : MEHROZ K. PATHAN, J.
DATE : 06.01.2026**

P.C. :

1] The applicant has filed the present application as he apprehends arrest. These proceedings arise out of C.R.No. 0165 of 2025. The FIR is lodged on 7th May, 2025 at 19:03 hours by the Majalgaon Rural Police Station, Dist. Beed. The date of occurrence of the alleged incident as stated in the FIR is 4th May, 2025. The FIR has been registered under Sections 351 (3), 351 (2), 3 (5), 118 (1) and 109 of the Bharatiya Nyaya Sanhita, 2023 ("BNS"). There are two accused persons, out of whom accused No.2 – Maharudra Baburao Badade is the present applicant. The informant is one Santosh Vikram Badade, who is related to the applicant.

2] This Court, vide order dated 14th July, 2025, had granted interim protection in favour of the applicant with condition that the applicant shall co-operate with the investigation and shall attend the concerned police station on every Monday at 11.30 a.m., until further orders.

3] The learned counsel for the applicant submits that the applicant has complied with the conditions imposed by this Court vide order dated 14.07.2025. The applicant is old age person. The allegation of assaulting the complainant is against Yuvraj. The injuries caused at the behest of the present applicant are simple in nature, and therefore, this Court, by noting the said injuries, had protected the present applicant by way of interim order. There are several disputes going on between the family of the applicant and the complainant. The applicant is the witness in the crime registered against the present complainant, and therefore, the applicant is falsely implicated in the present crime. The applicant is ready to abide by any conditions that may be imposed by this Court. The applicant is not having any criminal antecedents. The applicant is having deep roots in the society, and therefore, there is no likelihood that the applicant may flee away from the ends of justice. Hence, the present applicant may be released on anticipatory bail.

4] As against this, the learned APP vehemently opposes the application on the ground that the offence

under Section 109 of the BNS is serious in nature, which is punishable with life imprisonment. The applicant assaulted the complainant by means of wooden log and the applicant has chosen vital part of the body of the complainant i.e. contusion under left occipito parietal region and abrasion under right arm. The injuries are stated to be simple in nature, however, cumulative effect could have caused death of the complainant and even the injury is not required for invoking Section 109 of BNS. The applicant and his son had intention to commit the murder. Thus, this is not fit case for grant of anticipatory bail.

5] I have gone through investigation papers, made available by the learned APP. Perusal of the investigation papers would show that the injuries caused to the complainant by hard and blunt objects are simple in nature. This Court, vide order dated 14th July, 2025, protected the applicant. It is not disputed that the applicant has regularly attended the concerned police station as directed by this Court on every Monday. The wooden stick of axe allegedly used by the applicant in the incident is seized by the Investigating Officer. Thus, looking to the advance age of the applicant and the nature of allegations and prior history between the applicant and the complainant, who is nearest relative of the applicant, the false implication of the applicant cannot be ruled out. Hence the following order :

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 14th July, 2025 is hereby confirmed. The applicant is directed to attend the concerned police station as and when called by the Investigating Officer till completion of investigation and 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.
- E) 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.

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

7] 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.

8] The Anticipatory Bail Application is disposed of accordingly.

[MEHROZ K. PATHAN]
JUDGE

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