



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

28 ANTICIPATORY BAIL APPLICATION NO. 1174 OF 2025

Pradip Prakash Wagh

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. A. S. Dhorde, Advocate for Applicant.

Mr. S. G. Joshi, 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. 401/2024, registered with Rahata Police Station, District Ahmednagar, for the offences punishable under Sections 307, 326, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and under Section 3/25 of the Arms Act.

2. The first informant gave information with regard to the incident occurred on 23.03.2024 at about 7.30 pm, in which, present applicant and co-accused, total 7 in number, caused assault on the injured with an intention to kill him. The allegation against accused Nos. 1 and 2 is that they were holding rod in their hands and the

other accused persons were having wooden sticks, tommy and other sharp weapons. The allegation is that accused Nos. 1 to 5 caused actual assault on the injured. In the said incident, the injured sustained injuries. Offence was registered against applicant and co-accused for attempting to commit murder of the deceased.

3. Learned counsel for the applicant submits that accused Nos. 1 to 4 are already enlarged on regular bail and liberty of accused Nos. 6 and 7 is protected by the Hon'ble Supreme Court. As far as present applicant is concerned, it is his contention that there is no specific allegation against him of causing any injury to the injured and use of weapon for the same. On these amongst the other contentions, he seeks confirmation of the interim relief.

4. Learned APP vehemently opposed the application by drawing attention of the Court to the First Information Report as well as statements of the eye witnesses to the occurrence of the incident. It is his submission that the injuries were caused to the injured and considering the same, the provisions of Section 307 of Indian Penal

Code are rightly invoked against the present applicant and co-accused.

5. Prima facie perusal of the record indicates that in the First Information Report, there is no specific allegation about the nature of weapon carried out by the applicant and assault caused on the informant. The said allegations against accused Nos. 3 to 5 are omnibus. Perusal of the investigation papers indicates that here in this case, though the allegation is against five persons of causing assault on the injured with weapons, only three injuries are said to have been caused to him. Injury certificate records causing of grievous injuries with steel rod, which is not attributed against the present applicant. The allegation of using steel rod was against accused Nos. 1 and 2, who are already enlarged on bail. Thus, the injuries are not attributable to the present applicant. Having regard to the aforesaid facts and also in view of the fact that there is no material placed before this Court to show any previous crime being registered against the present applicant, this Court finds it a fit case to confirm the interim relief. Interim relief came to be granted on 14.07.2025 and there is no material on record to show that the applicant has misused the said liberty. Hence, the application

stands allowed. Interim relief stands confirmed except Clause No. (iv) of the order dated 14.07.2025.

(R. M. JOSHI, J.)

dyb