



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

ANTICIPATORY BAIL APPLICATION NO. 1336 OF 2025

OMKAR SUDAM JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

AND

ANTICIPATORY BAIL APPLICATION NO. 1337 OF 2025

PANDIT VASARAM RATHOD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. B. G. Londhe

APP for Respondents/State : Mrs. P. J. Bharad

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CORAM : MEHROZ K. PATHAN, J.

DATE : 25th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the Respondents/State.
2. The Applicants have approached this Court, seeking anticipatory bail application in connection with FIR No. 299 of 2025 registered with Jintur Police Station, District Parbhani for the offences punishable under Sections 420, 180, 34 of the Indian Penal Code.
3. The case of the prosecution is that the Manager of ICICI

Lombard General Insurance Company has stated that the present Applicant, Pandit Rathod, lodged a false FIR No. 38/2023 for offences punishable under Sections 279, 304A, 337, and 338 of the IPC with Jintur Police Station, alleging that his grandson, Sham Raju Rathod, met with an accident involving another vehicle bearing registration No. MH/38/Y/4202, which was driven by Sanjay Kale and Omprakash Kale. On the basis of the said FIR, a claim was filed before the Motor Accident Claims Tribunal seeking compensation from the Insurance Company for the death of the Applicant's grandson, Sham Rathod, who died in the said accident, and for the serious injuries suffered by the other Applicant, Omkar, in the same incident.

4. The learned Counsel for the Applicants submits that this Court, vide order dated 04.08.2025 in both the applications, had protected both the Applicants, subject to the condition of attending the police station and cooperating with the investigation. The Applicants have attended the police station and cooperated with the investigation. The Applicants are not having any other criminal antecedents and are ready to abide by any conditions that may be imposed by this Court. Hence this Court may be released the Applicants on anticipatory bail by confirming the interim order dated 04.08.2025.

5. As against this, the learned APP strongly opposes the application on the ground that the Applicants are involved in the

serious offence of cheating by concocting a false story of an accident. Though the accident had occurred due to a dash given by a wild boar, the Applicants registered an FIR showing that the accident occurred with a two-wheeler vehicle bearing registration No. MH/38/Y/4202, allegedly driven by Sanjay Kale and Om Kale. The medico-legal certificate of the injured person obtained from the hospital records shows the history of the accident as dash with a wild boar, and not a collision with the vehicle of Sanjay Kale and Omprakash Kale. Thus, the Applicants created a false story only with the intention of cheating the Insurance Company and claiming compensation for the death of the Applicant's grandson. The offence is serious in nature, and custodial interrogation of the Applicants is necessary. Hence, this is not a fit case to grant anticipatory bail, and the application may be rejected.

6. I have gone through the investigation papers. A perusal of the papers shows that the Applicants have attended the police station and have cooperated with the investigation. The investigation appears to be almost complete; however, the charge-sheet has not yet been filed in the present crime. A perusal of the FIR shows that there are allegations against the Applicants of having filed a false claim before the Motor Accident Claims Tribunal to seek compensation for the death of the Applicant's grandson. However, no such compensation has yet been granted to the Applicants.

. Be that as it may, these observations are prima facie in nature and made only for the purpose of deciding the present

application, and the same shall not influence the trial Court. The apprehension of the learned APP can be taken care of by imposing stringent conditions on the Applicant. Since the investigation is almost complete and there are no allegations about non-compliance on the part of the present Applicants, I am inclined to protect the Applicants. Hence the following order :

ORDER

- (i) Both the applications are allowed.
- (ii) The interim order dated 04.08.2025 is hereby confirmed.
- (iii) The Applicants are directed to attend Jintur Police Station, District Parbhani on 1st, 8th and 15th April of 2026 between 11:00 am. to 01:00 pm. and thereafter as and when called by the Investigating Officer till filing of the charge-sheet.
- (iv) The Applicants are directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.
- (v) The Applicants shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.
- (vi) The Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.
- (vii) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicants on that ground.
- (viii) With the aforesaid directions, the applications are disposed of.

MEHROZ K. PATHAN
JUDGE