



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

ANTICIPATORY BAIL APPLICATION NO. 1624 OF 2025

1. PRALHAD SANTOBA GHULE
2. UDHAV S/O NANDAJI ALIAS MANDAJI NAGARE
3. SUDARSHAN S/O BALASAHEB GHULE
4. BHAGWAT S/O RAJARAM GHULE
5. BHAGWAN S/O DNYANOBA GHULE
6. BABAN S/O DNYANOBA GHULE
7. GANESH S/O DNYANOBA GHULE
8. NATHA S/O SANTOBA GHULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Chavan Sudhir K.

Addl.PP for Respondents/State : Mr. A. S. Shinde

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CORAM : MEHROZ K. PATHAN, J.

DATE : 1st APRIL 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the Respondent/State.
2. The Applicants have approached this Court, seeking anticipatory bail application in connection with Crime No.408/2025 registered with Selu Police Station, District Parbhani for the offences punishable under Sections 4, 25 of the Arms Act, under Section 135 of the Maharashtra Police Act, 1951 and under Sections 109, 115(2), 118(1), 118(2), 189(2), 189(4), 190, 191(2), 191(3), 351(2),

351(3) of the Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the complainant Parasram Dattrao Ghule, aged 66 years, while admitted in Orthopedic ward of civil hospital, Parbhani lodged report on 05/08/2025 that, he had a field in Taltumba area. Adjacent to that, there is a field of Bhaskarrao Ghule. They had a dispute on account of foot way from Dhura. On 04/08/2025, in the morning at 07:00 to 07:30 a.m. his brother Pandurang was being beaten by Bhaskar Ghule, his brother and son. When he went there, he found that, Bhaskar Ghule had an axe, Ganesh Ghule had a sword, Rohidas Ghule had a sword and Subhash Ghule had an iron rod. They were beating Pandurang saying that, he should be killed. Thereafter, Parasram with Ashok, Madhukar, Ankush, Bajarang, Pandharinath and Gajanan went to rescue him. At that time, Pandurang Sopan Ghule and Ashok Pandurang Ghule held both of his hands. Bhaskar Ghule with the Koyta (sharp edged iron rod) gave a blow below his left knee causing fracture. Hanuman Pandurang Ghule gave a blow of iron rod on his right hand. Vaijanath Sarang Ghule gave a blow of iron rod on his left hand. When complainant fell down and was seeking water, Ganesh and Rohidas said that he should not be given water, but he should be urinated upon. Bhaskar Ghule urinated in his mouth and with the help of stick they had parted his mouth. The persons beating him were discussing between them that next time they should not allow him to file the police case and he should be killed and their houses would be burnt.

. During the quarrel, Madhukar Ghule, Ankush, Gajanan, Bajrang, Srirang, Pandharinath, Ashok Dattrao Ghule gathered and the mob having sword, rod, axes, sickle and Koyta assaulted causing serious injuries on their vital parts. They were all taking treatment in the hospital. At that time, Balasaheb, Pralhad, Uddhav, Sudarshan, Siddheshwar, Bhagwat, Bhagwan, Ravi, Baban, Gaurav, Gajanan, Natha, Govind, Pankaj, Ganesh, Dnyanoba and Rajaram were alongwith the assailants. They were beating him and his brother as well as injured by kicks and fist blows and saying that, they should be killed. At the time of that quarrel Kamal, Daivashala, Aruna, Savita, Renuka and Sakhubai threw Chutni in their eyes and supplied weapons to the assailants like; Koyta, sword and iron rods.

4. At the outset, the learned Counsel for the Applicants seeks leave to withdraw the application insofar as the Applicant No.6 (Baban Dnyanoba Ghule) is concerned, as this Court was not inclined to grant any relief to him.

5. Permission is granted. The application is disposed of as withdrawn to the extent of Applicant No.6.

6. Insofar as the Applicant Nos. 1 to 5, 7 and 8 are concerned, the learned Counsel for the Applicants submits that this Court vide order dated 24.09.2025 was pleased to protect the Applicants with a condition to attend the police station and cooperate with the investigation. The Applicants have thus attended the police station

and cooperated with the investigation.

. The learned Counsel further submits that the entire Ghule family is roped in the crime and this is a clear case of over-implication of family members, motivated solely by an intention to wreak vengeance. The present FIR No. 408/2025 is a counterblast to the earlier FIR No. 406/2025, registered on 04.08.2025 on the complaint filed by Bhaskar Ghule, wherein 21 accused persons were named for attempt to commit murder by forming an unlawful assembly. Notably, the present complainant, Parasram, is also an accused in that earlier FIR. The learned counsel further submits that the incident took place on 04.08.2025, whereas the present FIR was registered belatedly on 05.08.2025 at 23:00 hours. In contrast, the earlier FIR at the behest of Bhaskar was registered promptly on 04.08.2025 itself. One of the accused, Ganesh, on the side of the applicants, sustained serious injuries in the said incident. Even assuming, without admitting, the role attributed to Applicants Nos. 1 to 5 and 7 and 8, the only overt act alleged against them is that they caught hold of the complainant Parasram. There are no allegations of any assault committed by these Applicants. These Applicants are not having any criminal antecedents and are ready to abide by any conditions that may be imposed by this Court, if they are protected from arrest and granted anticipatory bail.

7. As against this, the learned APP submits that though the applicants are attributed the role of assault by fists and kick blows, the statements recorded during the course of investigation from

witnesses Madhukar, Bajrang, and Gajanan clearly establish the role of the present applicants in the same crime. Though the applicants attended the police station and cooperated with the investigation, they are involved in a serious offence punishable with life imprisonment. There is every likelihood that the applicants may again indulge in identical cognizable offences and thereby cause disturbance to public order. Hence, the applicants may not be released on bail.

8. I have gone through the investigation papers made available by the learned APP. A perusal of the FIR shows that there are allegations of assault by means of fists and kick blows. The present FIR No. 408/2025 is a counter to the earlier FIR No. 406/2025. The statements of witnesses Madhukar and Bajrang indicate general allegations against Applicants Sudarshan and Bhagwat of assaulting with a wooden stick. However, the injuries sustained by Madhukar and Bajrang do not corroborate any specific overt act attributed to the present applicants Sudarshan and Bhagwat. There are only general allegations against the Applicants of catching hold of Parasram and assault by fists and kick blows.

. Be that as it may, since the Applicants were protected by the interim order dated 24.09.2025, attended the police station, and there is no report of any violation of the conditions imposed by this Court in the said interim order, I am inclined to protect Applicant Nos. 1 to 5, 7, and 8 in exercise of discretionary powers under Section 482 BNSS. The apprehension of the learned APP can be

taken care of by imposing stringent conditions upon the Applicant Nos. 1 to 5, 7, and 8. Hence, the following order:

ORDER

(i) The application stands disposed of as withdrawn to the extent of Applicant No. 6/Baban Dnyanoba Ghule.

(ii) The application is allowed to the extent of Applicant Nos. **1.** Pralhad Santoba Ghule, **2.** Udhav S/O Nandaji Alias Mandaji Nagare, **3.** Sudarshan S/O Balasaheb Ghule, **4.** Bhagwat S/O Rajaram Ghule, **5.** Bhagwan S/O Dnyanoba Ghule, **7.** Ganesh S/O Dnyanoba Ghule, **8.** Natha S/O Santoba Ghule.

(iii) The interim order dated 24.09.2025 to the extend of Applicant Nos. 1 to 5, 7 and 8 is hereby confirmed.

(iv) The Applicant Nos. 1 to 5, 7 and 8 are directed to attend Selu Police Station, District Parbhani as and when called by the Investigating Officer till the filing of the charge-sheet.

(v) The Applicant Nos. 1 to 5, 7 and 8 shall not enter the village Taltumba, Taluka Selu, District Parbhani till filing of the charge-sheet.

(vi) The Applicant Nos. 1 to 5, 7 and 8 are directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.

(vii) The Applicant Nos. 1 to 5, 7 and 8 shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(viii) The Applicant Nos. 1 to 5, 7 and 8 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.

(ix) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicant Nos. 1 to 5, 7 and 8 on that ground.

(x) With the aforesaid directions, the application is disposed of.

MEHROZ K. PATHAN
JUDGE

NATJEEB..