



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

ANTICIPATORY BAIL APPLICATION NO. 1919 OF 2025

**GANESH NATHRAO GHULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : 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 Applicant and the learned APP for the Respondent/State.
2. The Applicant has 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. The learned Counsel submits that the Applicant himself was badly injured in the present incident, for which FIR No. 406/2025 has already been lodged at the behest of Bhaskar Ghule against the accused persons, including accused Madhukar, who is alleged to have assaulted the applicant with a sword, resulting in cut injuries. The applicant has annexed the medical treatment papers from Galaxy Superspecialty Hospital, showing the treatment undertaken by him. Relying upon these injury treatment papers, learned counsel for the applicant submits that this Court, vide order dated 14.11.2025, was pleased to protect the Applicant subject to the condition that he attend the police station and cooperate with the investigation. The Applicant has thus attended the police station and cooperated with the investigation and nothing remains to be investigated at the behest of the present Applicant. The Applicant is further ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be protected.

5. As against this, the learned APP strongly opposes the

present application on the ground that the applicant is alleged to have assaulted by means of an iron sword and a wooden stick, as stated by two witnesses, namely Bajrang Nagre and Madhukar Ghule. The injury certificates of Bajrang Nagre and Madhukar Ghule corroborate the allegations made against the present applicant. Even though the applicant has attended the police station and cooperated with the investigation, the allegations against him are serious in nature. Considering the gravity of the offence, which is punishable with life imprisonment, the Applicant may not be released on bail. The Applicant if released on bail, he may again indulge into identical offence and thereby cause disturbance to the public order. Hence this is not a fit case to grant anticipatory bail to the Applicant.

6. I have gone through the investigation papers made available by the learned APP. A perusal of the record shows that the statements of witnesses Madhukar Ghule and Bajrang Nagre allege that the applicant assaulted with a sword, resulting in thirteen stitches to the complainant. However, the injury certificate of Madhukar reflects injuries caused by a hard and blunt object, and not by a sharp object. The injury certificate of witness Bajrang shows an injury on the scalp. Taking into consideration that a counter FIR, being FIR No. 406/2025, was registered at the behest of Bhaskar against the complainant party, wherein allegations of assault are made against accused Madhukar, who is cited as a witness in the present case for allegedly assaulting the Applicant/Ganesh, the possibility of cross-allegations cannot be ruled out. The injury certificate annexed to the

application from Galaxy Superspecialty Hospital shows grievous cut injuries sustained by the Applicant/Ganesh. Relying upon the said certificates and the counter FIR, this Court had protected the Applicant vide order dated 14.11.2025.

. Be that as it may, since the Applicant was protected by the interim order dated 14.11.2025, 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 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. Hence, the following order:

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 14.11.2025 is hereby confirmed.
- (iii) The Applicant is directed to attend Selu Police Station, District Parbhani as and when called by the Investigating Officer till the filing of the charge-sheet.
- (iv) The Applicant shall not enter the village Taltumba, Taluka Selu, District Parbhani till filing of the charge-sheet.
- (v) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.
- (vi) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(vii) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(viii) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicant on that ground.

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

MEHROZ K. PATHAN
JUDGE

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