



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

ANTICIPATORY BAIL APPLICATION NO. 2051 OF 2025

1. KESHAV BHAGWAT POPALGHAT
2. KRUSHNA BHAGWAT POPALGHAT
3. DIPAK BHARAT SHELKE
4. MAULI @ DNYANESHWAR DINKAR GUNAJAL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Solanke Krushna S.

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

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CORAM : MEHROZ K. PATHAN, J.

DATE : 11th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the State.
2. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.298/2025 registered with Chaklamba Police Station, District Beed for the offences punishable under Sections 115(2), 118(1), 119(2), 189(2), 190, 191(1), 191(2), 352, 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the crime is registered against the Applicants on the basis of the information provided by the informant. He alleged that on 16/08/2025 at about 12:30 p.m.,

the informant along with his mother was present at their cowshed, namely Bhagwan Baba Goushala, for feeding the cows. At that time, the accused persons, namely (1) Gopal Madhukar Unawane, (2) Keshav Bhagwat Popalghat, (3) Krushna Bhagwat Popalghat, (4) Dipak Bharat Shelke, (5) Mauli @ Dnyaneshwar Dinkar Gunjal, and (6) Mirabai Madhukar Unawane, approached him and demanded money, stating that the cows released in connection with a crime registered at Police Station Talwada required payment. They further threatened the informant that they would close his cowshed and prevent him from running it if the money was not paid. The informant replied that the Learned Court had released the cattle without payment of any amount, and therefore he could not give them money. At this point, accused Keshav caught hold of his collar, while co-accused Gopal snatched Rs.2000 from his pocket. Accused Krushna assaulted the informant on his back with a stick, and accused Dipak and Mauli assaulted him with kicks and blows. When the mother of the informant intervened, accused Mirabai pushed her. On this information crime no. 298/2025 was registered against the applicants on 16/08/2025 with Chaklamba Police Station, Dist. Beed, for offence punishable U/s. 115(2), 118(1), 119(2), 189(2), 190, 191(1), 191(2), 351(2), 351(3), 352 of B.N.S.

4. The learned Counsel for the Applicants submits that this Court, vide interim order dated 24.11.2025, was pleased to protect the Applicants by granting ad-interim bail with a condition to attend the Investigating Officer and to cooperate with the investigation. The

learned Counsel submits that the Applicants have duly attended the police station and have cooperated with the Investigating Officer as directed by this Court. The Applicants have been falsely implicated in the present case only with the intention of wreaking vengeance for the earlier FIR filed at the behest of the aunt of Applicant No.2, Krushna, who is also an accused in the present matter. The aunt of Applicant No.2, namely Mirabai Madhukar Unawane, had lodged an FIR earlier in point of time bearing FIR No.297/2025 for the same incident dated 16.08.2025. In contrast, the present FIR No.298/2025 has also been registered for the same incident dated 16.08.2025. The Applicants are not having any criminal antecedents and are ready to abide by any conditions that may be imposed by this Court.

. The allegation of snatching of Rs.2000/- is against accused Gopal, whereas the Applicant No.2/Krushna is alleged to have assaulted the complainant by means of stick whereas the other Applicants are alleged of assaulting by means of fists and kick blows. As the Applicants have complied with the conditions imposed vide interim order dated 24.11.2025, the interim protection may be confirmed and they be released on anticipatory bail.

5. As against this, the learned APP strongly opposed the application on the ground that the Applicants are involved in a serious offence of snatching money from the complainant by causing hurt to him. Applicant No.2, Krushna, is alleged to have assaulted the complainant with a wooden stick, whereas the other Applicants are alleged to have assaulted him with fists and kick blows. The weapon

and the amount allegedly snatched from the complainant are yet to be recovered. Furthermore, accused Gopal is absconding and has not yet been arrested. Hence, this is not a fit case for granting anticipatory bail to the Applicants.

6. I have gone through the investigation papers made available by the learned APP. The Applicants have attended the Investigating Officer and have cooperated with the investigation. The investigation appears to be complete. The investigation papers further show that despite reminders sent to the complainant for medical examination, the complainant has failed to make himself available. As such, there is no injury certificate on record to corroborate the allegations made in the present FIR. Furthermore, a counter FIR has been registered at the behest of accused Mirabai, being FIR No.297/2025, for allegations of assault and outraging modesty against the real brothers of the complainant, namely Dattatray Thore, Sham Thore, and Ram Thore, along with another accused, Yogesh Gite. The submission that the present FIR is a fall out of the earlier FIR and the Applicants are falsely implicated in the present crime, cannot be ruled out at this stage. However, these are prima facie observations made only for the purpose of deciding the present application and shall not influence the trial Court. The apprehension of the learned APP can be addressed by imposing appropriate conditions upon the Applicants. Taking into consideration that the Applicants have cooperated with the investigation and the complainant has failed to make himself available for medical examination. I am inclined to protect the

Applicants. Hence the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 24.11.2025 is hereby confirmed.
- (iii) The Applicants shall attend the Chaklamba Police Station, District Beed 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 application is disposed of.

MEHROZ K. PATHAN
JUDGE