



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

ANTICIPATORY BAIL APPLICATION NO. 2076 OF 2025

1. ASHOK PANDURANG GHULE
2. PANDURANG SOPAN GHULE
3. VAIJNATH SARANG GHULE
4. HANUMAN PANDURANG GHULE
5. ROHIDAS BHAGWAN GHULE
6. SUBHASH BHASKAR GHULE
7. BHASKAR DYANOBA GHULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH

CRIMINAL APPLICATION NO. 1190 OF 2026
IN ABA/2076/2025

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Advocate for Applicants : Mr. Chavan Sudhir K.

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

Advocate for assisting the prosecution : Mr. Jadhavar Shivprasad G.

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CORAM : MEHROZ K. PATHAN, J.

DATE : 1st APRIL 2026

PER COURT :

1. Heard the learned Counsel for the Applicants, the learned Assisting Counsel 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 Nos. 3 to 7 (Applicant Nos. 3-Vaijnath Sarang Ghule; 4-Hanuman Pandurang Ghule; 5-Rohidas Bhagwan Ghule; 6-Subhash Bhaskar Ghule; 7-Bhaskar Dyanoba Ghule) are concerned, as this Court was not inclined to grant any relief to them.

5. Permission is granted. The application is disposed of as withdrawn to the extent of Applicant Nos. 3 to 7.

6. Insofar as the Applicant No. 1/Ashok Pandurang Ghule, and Applicant No. 2/Pandurang Sopan Ghule, are concerned, learned Counsel for the Applicants submits that 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 and 2, 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. The Applicant Nos. 1 and 2 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 Mr. Ingole, along with the learned Assisting Counsel, strongly oppose the present application on the ground that the offence is serious in nature. The Applicants are

alleged to have attempted to commit murder by sharing a common intention and forming an unlawful assembly, which was found with the common object of committing murder. The offence is punishable with life imprisonment. There is ample evidence to bring home the guilt of the present Applicants in the crime. The injury certificates of Pandurang Ghule, Bajrang Nagre, and others demonstrate that the complainant party sustained serious and grievous injuries in the free fight that took place on 04.08.2025. The applicants are specifically named in the FIR. Hence, custodial interrogation of the applicants is necessary. If the Applicants are released on bail, they may threaten prosecution witnesses and thereby cause prejudice to the prosecution case. There is every likelihood that the applicants may again indulge in cognizable offences, thereby causing disturbance to public order. Hence this is not a fit case to grant anticipatory bail to the Applicants.

8. I have gone through the investigation papers made available by the learned APP. A perusal of the investigation papers shows that the statements recorded during the course of investigation also contain the injury certificates of injured witnesses Sangita Ghule, Pandharinath Ghule, Madhukar Ghule, Parasram Ghule, Gajanan Ghule, Ankush Ghule, Pandurang Ghule, and Bajrang Nagre. The statements of the witnesses show that the role of the other Applicants Hanuman, Rohidas, Subhash, and Bhaskar, is that of assailants, whereas Applicants Nos. 1 and 2 are attributed only the role of catching hold of the complainant Parasram Ghule. Taking into

consideration FIR No. 406/2025 registered at the instance of Bhaskar, wherein the complainant Parasram is also an accused, the possibility of over-implication of family members of the accused, including the present applicants, cannot be ruled out at this stage. However, these observations are prima facie in nature and made solely for the purpose of deciding the present application, they shall not influence the trial court. Considering the limited role of Applicants Nos. 1 and 2, and the fact that they are not attributed with any act of assault by means of a dangerous weapon upon either the complainant or any of the witnesses, I am inclined to extend protection to Applicants Nos. 1 and 2 in exercise of discretionary powers under Section 482 BNSS. The apprehension of the learned APP as well as the learned Assisting Counsel can be taken care of by imposing stringent conditions upon the Applicant Nos. 1 and 2. Hence, the following order:

ORDER

(i) In the event of arrest of the Applicant No. 1/Ashok Pandurang Ghule, and Applicant No. 2/Pandurang Sopan Ghule 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, they be released on bail on furnishing PR. bond of Rs.50,000/- (Rupees Fifty Thousands) each with two solvent sureties in the like amount, on the following conditions :

- (ii) The Applicant Nos. 1 and 2 are directed to attend Selu Police Station, District Parbhani on 8th, 9th, 15th, 16th, 22nd and 23rd April of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer and thereafter as and when called by the Investigating Officer till the filing of the charge-sheet.
- (iii) The Applicant Nos. 1 and 2 shall not enter the village Taltumba, Taluka Selu, District Parbhani till filing of the charge-sheet.
- (iv) The Applicant Nos. 1 and 2 are directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.
- (v) The Applicant Nos. 1 and 2 shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.
- (vi) The Applicant Nos. 1 and 2 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 Applicant Nos. 1 and 2 on that ground.
- (viii) With the aforesaid directions, the application is disposed of.
- (ix) The application for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE