



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

ANTICIPATORY BAIL APPLICATION NO. 2274 OF 2025

**MIRULAL BHILA SABALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. Desale Nilesh N.

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

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**CORAM : MEHROZ K. PATHAN, J.
DATE : 6th FEBRUARY 2026**

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.150/2024 registered with Nizampur Police Station, District Dhule for the offence punishable under Section 395 of the Indian Penal Code.
3. The learned Counsel Mr. Desale for the Applicant submits that this Court vide order dated 24.12.2024 has protected the Applicant vide interim order with a further direction to attend the police station. The Applicant has attended the police station and cooperated with the investigation. This Court may, therefore,

continue and confirm the order dated 24.12.2024 and release him on anticipatory bail.

. It is further submitted that though the identical accused are released by granting anticipatory bail vide order of this Court dated 12.08.2024 passed in ABA No.1193/2024, wherein accused Dashrath Vankar Pawar and Ashok Bhurya Pawar who were named in the FIR are also released by imposing certain conditions. The Applicant does not have any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court.

4. As against this, the learned APP submits that although there are no criminal antecedents against the Applicant and the Applicant has cooperated with the investigation, statements recorded by the Investigating Officer during the course of investigation reveal the Applicant's involvement. The supplementary statement of the complainant/Bapuji Choure, dated 05.06.2024, mentions the Applicant as one of the assailants present on the date of the incident. The statements of witnesses, namely Machindra, Suresh Thorat, and others, disclose the role of the Applicant as one of the co-accused accompanied the assailants who assaulted the witnesses and issued threats regarding the copper cable material. There is every likelihood that the Applicant may again indulge into identical offences of theft and hence the application may be rejected.

5. I have gone through the investigation papers made available by the learned APP. The perusal of the statement of the complainant

initially recorded by the Investigating Officer does not show the name of present Applicant. However in the supplementary statement dated 05.06.2024 name of the Applicant is involved. The other co-accused namely Dashrath Vankar Pawar and Ashok Bhurya Pawar who were also implicated on the basis of the supplementary statement of the complainant and other witnesses, are already released on anticipatory bail by this Court vide order dated 12.08.2024 in ABA No.1193/2024. Thus applying the principles of parity, the Applicant has made out a case for protection. Therefore, I am inclined to protect the Applicant in exercise of powers under Section 482 of the BNS. Hence the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 24.12.2024 is hereby confirmed.
- (iii) The Applicant is directed to attend the Nizampur Police Station, District Dhule on every Saturday till filing of the charge-sheet.
- (iv) The Applicant is directed not to tamper with the evidence.
- (v) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.
- (vi) 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.
- (vii) A single violation of the aforesaid conditions, would entitle the

prosecution to seek cancellation of bail of the present Applicant on that ground.

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

MEHROZ K. PATHAN
JUDGE

NAJEEB..