



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

ANTICIPATORY BAIL APPLICATION NO. 2290 OF 2025

NILKANTH RAMESH PATIL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER
WITH

CRIMINAL APPLICATION NO. 347 OF 2026
IN ABA/2290/2025

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Advocate for Applicant : Mr. Shinde Dhananjay M.

APP for Respondents/State : Mr. P. D. Patil

Advocate for the Applicant in Cri.Appln.347/2026 :
Mr. Hake Rupesh Bapurao

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CORAM : MEHROZ K. PATHAN, J.

DATE : 7th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicant, the learned Counsel for assisting prosecution and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.377/2025 registered with Ramthirth Police Station, District Nanded for the offences punishable under Sections 132, 121(1), 119(1), 329(4), 314, 296, 351(2), 351(3), 126(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 and under Sections 3 and 4 of the Maharashtra Prevention of Damages to Public Property Act.

3. The learned Counsel for the Applicant submits that this Court, vide interim order dated 24.12.2025, was pleased to protect the Applicant by granting ad-interim bail with a condition to attend the Investigating Officer on every Monday between 11:00 a.m. to 03:00 p.m. and to cooperate with the investigation.

. The learned Assisting Counsel has brought to the notice of this Court the alleged violations of the conditions imposed by this Court, namely the vandalization of the Gram Panchayat property, committed by the Applicant after obtaining the interim order. This Court, vide its order dated 06.02.2026, has further directed the learned APP to take instructions in that regard.

4. The learned Counsel for the Applicant submits that the Applicant has duly attended the police and has cooperated with the Investigating Officer as directed by this Court. He further submits that the present FIR is a fallout of a serious dispute pertaining to land Plot No. 226 of Gram Panchayat, Shedgaon (Gauri). The Applicant alleges that Plot No. 226 was re-allotted to him on his request by the Gram Panchayat. Accordingly, the Gram Panchayat also granted permission to construct on the said plot. On the Applicant's request, the Gram Panchayat has further addressed communications to the Tahsil Office seeking allotment of Plot No. 226 in place of Plot No. 352, which had earlier been allotted in the Applicant's name.

5. As against this, the learned Assisting Counsel appearing for the Gram Sevak seriously disputes such a position. The learned

Counsel for the complainant submits that Plot No. 226 was never allotted to the Applicant; however, the Applicant has managed to obtain certain fabricated documents to show his allotment of the said plot. The said Plot No. 226 is owned by the Gram Panchayat, wherein a children's park is being run. The plot, which is utilized as a public utility space, could not have been allotted for residential purposes to the Applicant. The Applicant if released on bail may again issue threats to complainant.

6. The learned APP further submits that there are eye-witnesses corroborating the allegations made in the FIR. The panchanama records that the iron gate allegedly cut by the Applicant was found lying at the spot when the spot panchanama was conducted. The Applicant may tamper with the evidence, if released on bail. Considering the seriousness of the offence, custodial interrogation of the Applicant is necessary.

7. I have gone through the investigation papers made available by the learned APP. A perusal of the same shows that an earlier NC was recorded at the behest of the Gram Sevak regarding the incident of cutting the iron gate in the children's park on 24.10.2025, which was reported on 25.10.2025. For the same incident, it appears that the present FIR has also been filed on the allegation of cutting the iron gate in the children's park, which allegedly led to the assault upon the Gram Sevak, thereby obstructing a public servant from performing his duties by use of criminal force. Be that as it may, it

appears that for identical allegations, an earlier NC was filed by the complainant Gram Sevak. For the same incident, the present FIR has now been filed. Hence, the false implication of the Applicant cannot be ruled out at this stage. However, these are prima facie observations made only for the purpose of deciding the present application for bail, and the same shall not influence any other proceedings or the trial Court.

. The perusal of the investigation papers shows that the investigation is almost complete and that the Applicant has cooperated with the Investigating Officer. The apprehensions raised by the learned APP as well as the learned Assisting Counsel, that the Applicant and his brother may again cause a law and order problem in the vicinity, can be addressed by imposing stringent conditions upon the Applicant. Hence, I am inclined to protect the Applicant.

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 24.12.2025 is hereby confirmed.
- (iii) The Applicant shall attend the Ramtirth Police Station, District Nanded as and when called by the Investigating Officer till filing of the charge-sheet.
- (iv) The Applicant shall not enter the village Shedgaon (Gauri) till filing of the charge-sheet.
- (v) The Applicant is directed not to tamper with the evidence.
- (vi) The Applicant shall not threaten the complainant or the witnesses.

(vii) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(viii) 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.

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

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

(xi) The application for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE

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