



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

916 ANTICIPATORY BAIL APPLICATION NO. 2320 OF 2025

**HANUMAN BAPURAO RENGHE & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr.R.J.Nirmal
APP for Respondent-State : Mr.A.S.Shinde

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CORAM : MEHROZ K. PATHAN, J.

DATE : 06.01.2026

P.C. :

1] Heard the learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants have filed the present application seeking anticipatory bail in connection with Crime No.411/2025, registered with Police Station Parbhani Rural, Parbhani, for the offence punishable under Section 118 (1), 352, 351 (2), 351 (3), 137 (2), 189 (2), 191 (2), 191 (3), 190 of BNS and Sections 12, 14 of POCSO Act.

3] The case of the prosecution is that accused Omkar Renge, Hanuman Renge, Krushna Giri, Ganesh Chavan, Balaji Wagh were at the place at Pedgaon Road, behind Hotel Bagicha, in the filed of Bhagwat Renge. As soon as informant stepped down from the jeep, all accused

started beating the informant by means of sticks. Accused Bhagwat has threatened the informant to remove the clothes which he wore. Informant frightened and removed the clothes which were on his person. At that time, accused Pavan Also has tied the legs of informant by means of rope. Thereafter, accused Bhagwat Renge has brought petrol in a bottle and poured it on the private parts of informant. Again, all accused have started beating the informant. They also constrained the informant to clean the cow-dung. Accused Balaji Wagh has taken shooting of the above incident in the mobile phone. Thereafter, on 16/10/2025 at 4.00 a.m., accused have threatened to kill the informant if he lodged the complaint. Accused Sonu Singh and Yash Nirmal have taken the informant on their motorcycle and left at his house.

4] The learned counsel for the applicants submits that most of the investigation is already complete. All other accused were arrested and released on regular bail by the Sessions Court. So far as role of the present applicant is concerned, no specific overt act is alleged against the applicant. The entire allegations are against the accused, namely, Bhagwat Renge whereas only general allegations are levelled against the present applicants. The applicant no.2, namely, Angad Nakure, is the student of law. Thus, the role of the applicants is not made out. The applicants are falsely implicated in the present crime and the

applicants are ready to abide by any conditions that may be imposed by this Court, hence, the present applicants may be released on anticipatory bail.

5] As against this, the learned APP vehemently opposes the application on the ground that the offence is serious in nature and the applicants have specifically impleaded in the FIR of kidnapping the informant and beating him by stick and other accused, namely, Bhagwat has poured petrol on the private parts of the informant and one accused, namely, Balaji Wagh has taken shooting of the incident in his mobile. The learned APP, therefore, submits that though other 7 accused persons were released on regular bail by the Sessions Court, principle of parity would not apply in the case of the present applicants. The applicants are involved in serious offence, pertaining to the alleged assault against the minor boy of 16 years old, hence, this is not fit case to grant anticipatory bail.

6] Perusal of the FIR, as well as, the observations of the learned Sessions Court, make it clearly show that the applicants are directly involved in the present crime. The accused Bhagwat has assaulted the complainant i.e. minor victim by means of wooden stick. The accused Pavan Alse has tied the legs of the victim boy by means of rope and Bhagwat is alleged to have brought one petrol Can and poured it on the private parts of the informant. Accused

Balaji Wagh has taken shooting of the incident in his mobile phone. The other accused persons are released on regular bail by the Sessions Court, hence, the principle of parity would not apply in the case of the present applicants as the allegations against the applicants are serious in nature. The provisions of POCSO Act are also invoked against the present applicants as the name of the applicants are clearly mentioned in the FIR to have assaulted the complainant. The applicants are the member of unlawful assembly and hence role of the each of the accused is not required to be proved and mentioned in detail. However, these observations are *prima facie* in nature, the same may not be influenced by the trial Court while deciding the case on its own merits. However, looking to the nature of the allegations and the provisions of the POCSO Act being invoked against the present applicants and looking the age of the victim boy, I am not inclined to exercise discretion in favour of the present applicants. Hence, the Anticipatory Bail Application is hereby rejected.

[MEHROZ K. PATHAN]
JUDGE

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