2026:BHC-AUG:15066

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 230 OF 2026

PRASHANT DADASAHEB ANBHULE
VERSUS
THE STATE OF MAHARASHTRA
WITH

CRIMINAL APPLICATION NO. 734 OF 2026
IN ABA/230/2026

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Advocate for Applicant : Mr. Z.H. Farooqui h/f
Mr. Dushing Sanjay B

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

Advocate for assisting prosecution : Mr. D. R. Adhav

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CORAM : MEHROZ K. PATHAN, J.

DATE : 8th APRIL 2026

PER COURT :

1. Heard the learned Counsel Mr. Farooqui holding for Mr. Dushing for the Applicant, learned Counsel Mr. Adhav for assisting the prosecution and the learned APP Mr. Patil for the Respondent/State.

2. The Applicant has approached this Court, seeking anticipatory bail application in connection with Crime No. 12/2026 registered with Mirajgaon Police Station, District Ahilyanagar for the offences punishable under Sections 108 of the Bhartiya Nyaya Sanhita, 2023 and under Section 39 of the Maharashtra Money Lending (Regulation) Act, 2019.

3. The case of the prosecution is that the offence came to be registered at the instance of informant Avinash Pandule, resident of Pimpri Ghumari, Taluka Ashti, District Beed. It is the prosecution's case that the brother of the informant, Chandrahas Pandule, had borrowed loans from various banks for farming and dairy business. He had also borrowed a loan of Rs. 1,50,000/- from the Applicant about 18 months prior, and repaid Rs. 1,45,000/- approximately two months ago. However, the Applicant persistently insisted on payment of additional interest. It is alleged that on 08.01.2026, the deceased informed the informant that the Applicant was demanding excessive interest and issuing threats, and thereafter left home. At about 5:30 p.m., the informant attempted to call the deceased on his mobile phone, but it was switched off. At about 8:00 p.m., the Applicant came to the informant's house and stated that the deceased had borrowed Rs. 1,50,000/-, which was still due and payable, and demanded interest, threatening dire consequences if Chandrahas failed to repay. The Applicant further stated that since morning Chandrahas was not answering his calls. The Applicant then left the informant's house. On the following day, the informant and his relatives searched for Chandrahas but could not find him, and thereafter lodged a missing report at Ashti Police Station. Subsequently, Rushi Thorve of village Ghogargaon, Taluka Shrigonda, informed that Chandrahas had committed suicide by hanging himself from a neem tree in the forest area of Mandali. Hence the informant made report against the accused that due to the illtreatment and harassment for recovery of loan, deceased Chandrahas committed

suicide and thereby he abated the suicide of the deceased.

4. The learned Counsel for the Applicant submits that, even assuming without admitting the threats allegedly extended by the Applicant during his visit on the date of incident at 8:00 p.m., such conduct cannot amount to instigation or abetment on the part of the Applicant to drive the deceased to commit suicide. The Applicant is alleged to have advanced a sum of Rs. 1,50,000/- and was merely demanding repayment of the same. Such demand, by itself, would not constitute instigation or abetment by the Applicant to the deceased to commit suicide. The learned Counsel further submits that the Applicant was protected during the pendency of the present application before the Sessions Court. The Applicant has cooperated with the investigation and attended the police station. The Applicant is not having any criminal antecedents and is further ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be protected.

5. As against this, the learned APP as well as the learned Assisting Counsel strongly oppose the present application on the ground that there are direct allegations of abetment to commit suicide against the Applicant. It is alleged that the Applicant is engaged in illegal money-lending activities in the vicinity and has adopted coercive methods to extract money from gullible and innocent villagers. The deceased had also been extended a loan of Rs. 1,50,000/-. The said loan was not repaid, and therefore, on

08.01.2026, the Applicant allegedly arrived at the house of the complainant and the deceased, and threatened that if his brother failed to repay the amount, he would face dire consequences. Thus, there are direct allegations against the present Applicant. The Applicant is alleged to have committed an offence under Section 108 BNSS, which is punishable with imprisonment up to ten years. Hence, the Applicant may not be released on bail.

6. I have gone through the investigation papers made available by the learned APP. A perusal of the investigation papers shows that, after the death of the deceased, a case under Section 174 Cr.P.C. was initially registered on 09.01.2026 as Merg No. 03/2026, upon the statement of the complainant Avinash, the real brother of the deceased. The said statement does not disclose any visit or threats allegedly extended by the Applicant on the eve of the incident, i.e., on 08.01.2026 at about 8:00 p.m., as later alleged in the FIR filed after 4 days i.e. on 13.01.2026.

. Be that as it may, these are prima facie observations made for the purpose of deciding the present application and the same may not influence the trial Court. The Applicant was protected by the learned Sessions Court during the pendency of the bail application. The Applicant has attended the police station and has cooperated with the investigation. The non-compliance of the interim order is not reported by the prosecution. Hence, I am inclined to protect Applicant. The apprehension of the learned APP can be taken care of by imposing stringent conditions upon the Applicant. Hence, the following order:

ORDER

(**i**) In the event of arrest of the Applicant - Prashant Dadasaheb Anbhule in connection with Crime No. 12/2026 registered with Mirajgaon Police Station, District Ahilyanagar for the offences punishable under Sections 108 of the Bhartiya Nyaya Sanhita, 2023 and under Section 39 of the Maharashtra Money Lending (Regulation) Act, 2019, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with two solvent sureties in the like amount, on the following conditions :

(**ii**) The Applicant is directed to attend Mirajgaon Police Station, District Ahilyanagar on 15^{th}, 16^{th}, 22^{nd}, 23^{rd}, 29^{th}, and 30^{th} April of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer till filing of the charge-sheet.

(**iii**) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.

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

(**v**) 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.

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

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

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

MEHROZ K. PATHAN
JUDGE

NAJEEB..