



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

80 BAIL APPLICATION NO. 95 OF 2026

Anil Subhash Gadade

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. B. N. Magar, Advocate for Applicant.

Mr. G. O. Wattamwar, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 9th FEBRUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 114/2025 registered with Jintur Police Station, Dist. Parbhani, for the offences punishable under Sections 115, 296, 326(G), 333, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on 05.03.2025 at about 6.30 pm, when the informant was sitting in front of the house, Applicant under influence of liquor, abused her and assaulted with fists and kicks blows. Thereafter, informant went to call her son. At that time, Applicant entered her house and set household articles including amount of Rs. 6,000/- on fire. When informant and her son

intervened, Applicant threatened them and fled away. On the basis of these allegations, First Information Report came to be lodged.

3. Learned Counsel for the Applicant submits that this is a successive bail application. Previous bail application was disposed of by this Court vide order dated 07.10.2025 in Bail Application No. 1593/2025 granting liberty to the Applicant to file a fresh bail application in case report about his mental illness is negative. Since the said report is received as negative, as such, this application is presented.

4. Learned counsel for the Applicant further submits that Applicant is falsely implicated in the offence. Except complainant, there is no eye-witness to the alleged incident. There are material contradictions in the statement of witnesses. The present complaint is maliciously filed against the Applicant since the complainant is an encroacher on the Government premises. The Applicant is in custody since 01.03.2025. As the investigation is complete and charge-sheet is filed, further incarceration of the Applicant is unjustified. Hence, prayed to allow the application.

5. Learned APP vehemently opposed the application by submitting that the offence is serious in nature. There is no change in circumstances and no fresh grounds are raised by the Applicant. As such, prayed to reject the application.

6. Upon considering submissions of both sides and on perusal of record, including charge-sheet, it is evident that except the complainant there are no eye-witnesses to the alleged incident. Furthermore, the Applicant is implicated in another crime by the family member of the complainant on previous occasion. As such, there is a possibility of false implication.

7. Nevertheless, investigation in the crime is complete for all intent and purpose. Resultantly, charge-sheet is filed. Applicant is arrested on 09.03.2025. Having regard to the number of witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favor of the applicant.

8. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Anil Subhash Gadade, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 114/2025 registered with Jintur Police Station, Dist. Parbhani, for the offences punishable under Sections 115, 296, 326(G), 333, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court. Till conclusion of the trial, the Applicant shall not enter the jurisdiction of the concerned Police Station except for attending the trial.
 - (c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.
 - (d) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

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