



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

BAIL APPLICATION NO. 130 OF 2026

ANAND SANJAY SIRSATH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Ashraf Patel
APP for Respondent : Mr. B. B. Bhise
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 12-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.276 of 2025 dated 31.07.2025 registered with City Chowk Police Station, District Aurangabad, for the offences punishable under Sections 109 and 115(2) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act. In the said crime, the applicant was arrested on 31.07.2025. After completion of the investigation, the chargesheet has been filed.

2. It is case of the prosecution that on 30.07.2025 at approximately 10:00 p.m., the informant parked his auto rickshaw near the church. While proceeding to his house, the pet dog of accused No. 1, Sanjay, barked at him. When the informant asked that the dog be kept inside, the accused caught hold of his collar

and beat him. The applicant, with the co-accused/his brother and father, also beat the informant. The informant narrated the incident to his brother. Thereafter, they went for inquiry with the accused. At that time, the applicant came with a sword and gave a blow over the head of the informant. The applicant assaulted him with a knife. However, the informant saved himself and pushed the accused away. Then, the applicant, with the co-accused, assaulted the brother of the informant, which caused serious injury. The injured was then taken to the hospital. Hence, the report.

3. The learned counsel for the applicant submits that the incident originated from a trifling dispute regarding a barking dog. The applicant has been in custody since his arrest on 31.07.2025, and the investigation has now culminated in the filing of the chargesheet. Notably, medical certificates indicate that the injuries sustained were simple in nature. Furthermore, the applicant has no prior criminal antecedents.

On the grounds of parity, the learned counsel points out that this Court has already granted bail to the co-accused: Accused No.3 (Chetan) via Bail Application No. 2164 of 2025 on 28.11.2025, and Accused No. 1 (Sanjay) via Bail Application No. 2486 of 2025 on 09.01.2026. In these circumstances, the applicant is equally entitled to bail. It is, therefore, prayed that the application may be allowed.

4. The learned A.P.P. opposes the application, contending that the offence is serious in nature and supported by direct evidence against the applicant. It is contended that the applicant specifically assaulted the informant and witnesses with a knife. The learned A.P.P. further expressed apprehension that, if released on bail, the applicant is highly likely to tamper with evidence or commit similar offences. Consequently, it is prayed that the application be rejected.

5. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet indicates that it is, *prima facie*, evident that the incident originated from a spontaneous and trifling dispute over a barking dog rather than a premeditated act. Although the prosecution alleges the use of a weapon, the medical evidence indicates that the injuries sustained were simple in nature, which significantly mitigates the gravity of the accusations.

6. Furthermore, the applicant is also entitled to release on the ground of parity. This Hon'ble Court has already granted bail to co-accused Accused No. 3 (Chetan) and Accused No. 1 (Sanjay) via orders dated 28.11.2025 and 09.01.2026, respectively.

7. The investigation is now complete for all intents and purposes and the chargesheet has been filed; consequently, the

applicant's further incarceration is no longer required for the collection of evidence. Given the number of accused persons and witnesses the prosecution proposes to examine, it is highly unlikely that the trial will commence or conclude within a reasonable period. In these circumstances, the further detention of the applicant as an under-trial prisoner appears neither warranted nor justifiable. While the prosecution has expressed concerns regarding the tampering of evidence, such apprehensions can be effectively addressed by imposing stringent conditions. Therefore, I am persuaded to exercise discretion in favour of the applicant.

8. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Anand Sanjay Sirsath, be released on bail, upon 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.276 of 2025 dated 31.07.2025 registered with City Chowk Police Station, District Aurangabad, for the offences punishable under Sections 109 and 115(2) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, 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 and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers 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 the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE

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