



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

ANTICIPATORY BAIL APPLICATION NO. 66 OF 2026

**YOGESH SURESH MULE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mrs. Sonawane Sunita G.
Addl.PP for Respondents/State : Mr. A. S. Shinde
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**CORAM : MEHROZ K. PATHAN, J.
DATE : 16th MARCH 2026**

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the Respondent/State.
2. The Applicant has approached this Court, seeking anticipatory bail application in connection with FIR No. 806 of 2025 dated 25.10.2025 registered with M.I.D.C. Police Station, District Ahilyanagar, for the offences punishable under Sections 115(2), 118(1), 3(5), 351(2), 352, 118(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution, as reflected in the FIR, is that the dispute arose over drawing water from the well constructed by the complainant. The complainant had obstructed the accused persons from taking water. It is alleged that the Applicant abused and

assaulted the informant with a sharp weapon, causing injury to the informant's left hand. When the informant's son came to his rescue, accused Nilesh assaulted him with an iron pahar on his right hand. Accused No. 1, Suresh, further threatened to kill the informant, stating that if they were not allowed to take water, they would kill him.

4. The learned Counsel for the Applicant submits that the present FIR, being Crime No. 806/2025, is a fallout of the earlier FIR filed by the brother of the Applicant, namely Nilesh Mule, being FIR No. 805/2025, registered for the same incident dated 22.10.2025. The complainant Shankar, is also an accused in FIR No. 805/2025. The Applicant was required to undergo treatment for the injuries sustained in the said incident, initially at Neuron Plus Hospital from 22.10.2025 to 26.10.2025, and was thereafter shifted to another multispecialty hospital, namely Saideep Hospital, where he remained admitted from 27.10.2025 to 02.11.2025 for injuries sustained to his right fronto-temporo-parietal region. The allegations against the Applicant, even if taken to be true, pertain only to an assault on a non-vital part, namely the hand of the complainant. The said injury could be a result of the scuffle that took place, in which the Applicant himself was injured and required medical treatment for a longer period. The dispute arose out of the use of a common water well, the water from which was being shared by the Applicant's family as well as the complainant's family. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be

imposed by this Court.

5. As against this, the learned APP strongly opposes the application on the ground that the Applicant was involved in a serious offence of causing grievous hurt by means of a dangerous weapon, which is punishable with life imprisonment. The injury sustained by the complainant, Shankar, is a contused lacerated wound. Another witness, Nilesh Mule, the son of the complainant, suffered a serious injury in the form of a fracture to his hand. The Applicant is alleged to have shared the common intention along with the other co-accused persons. It is further submitted that if the Applicant is released, he may again indulge in identical offences of threatening the complainant and may create law and order problems. The custodial interrogation of the Applicant is necessary to complete the investigation. Hence, this is not a fit case to grant anticipatory bail, and the same may be rejected.

6. I have gone through the investigation papers made available by the learned APP. A perusal of the injury certificate of the complainant, Shankar Mule, shows that he has sustained only a simple injury in the form of a contused lacerated wound. The other injuries sustained by Nilesh Mule are shown to be grievous in nature. However, the FIR records that witnesses were assaulted by accused Nilesh and not by the present Applicant/Yogesh. A perusal of the medical papers further shows that the Applicant/Yogesh, was required to undergo treatment for his injuries, initially at Neuron

Plus Hospital and thereafter at Saideep Hospital, for a longer period. Considering that the dispute arose out of the use of a common well, from which both the families of the Applicant and the complainant were drawing water, the possibility of false implication of the Applicant cannot be ruled out. These observations, however, are made only for the purpose of deciding the present application and shall not influence the trial Court. Taking into consideration the fact that the Applicant himself was required to undergo treatment at various hospitals, I am inclined to grant interim protection to the Applicant in exercise of powers under Section 482 of the BNSS. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Yogesh Suresh Mule in connection with Crime No. 806 of 2025 dated 25.10.2025 registered with M.I.D.C. Police Station, District Ahilyanagar, for the offences punishable under Sections 115(2), 118(1), 3(5), 351(2), 352, 118(2) of the Bharatiya Nyaya Sanhita, 2023, 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 M.I.D.C. Police Station, District Ahilyanagar on 23rd, 24th, 30th and 31st March of 2026 and 6th and 7th April of 2026 between 11:00 am. to 01:00 pm. and co-operate with the Investigating Officer and thereafter as and when called by the Investigating Officer till filing of the charge-sheet.

(iii) The Applicant shall not enter the village Pimpalgaon Ujjaini, Taluka Nagar, District Ahilyanagar till filing of the charge-sheet.

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

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

(vi) 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.

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

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

MEHROZ K. PATHAN
JUDGE

NATJEES..