



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 147 OF 2026

Dilip Bhanudas Ghadge

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Narwade Narayan B.

APP for Respondents: Mr. R.K. Ingole.

CORAM : MEHROZ K. PATHAN, J.

DATE : 6TH MARCH, 2026.

P.C. :-

1. The applicant has approached this Court seeking anticipatory bail in connection with Crime No.1005 of 2025, registered with Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 109, 118-1, 352, 351-2, 351-3 r/w. 3-5 of the Bhartiya Nyaya Sanhita.

2. Mr. Narwade, the learned counsel for the applicant submits that the applicant has been falsely roped in the present crime. For the same incident dated 22.11.2025, the co-accused Bhagwan Vitthal Garad has filed a report at police station, Shevgaon, however, the same was registered as N.C. No. 1660 of 2025 against complainant Sandip Deshmukh and Pravin Deshmukh. The co-accused Bhagwan was required to undergo treatment initially at Primary Health Center, Bodhegaon and thereafter at Civil Hospital, Ahilyanagar. The co-accused Bhagwan who was injured in the said assault was admitted in Civil Hospital, Ahilyanagar on 26.11.2025 and discharged on 28.11.2025 with history of assault and head injury. The applicant is deliberately roped in the present crime. The complainant has not sustained any injuries which can be attributed to the present applicant. The applicant is not having any criminal antecedent and is ready to abide by the conditions that may

be imposed by this Court. Hence, the applicant may be protected.

3. As against this, the learned APP Mr. Ingole strongly opposes the application on the ground that the offence is serious in nature i.e. causing grievous hurt by means of dangerous weapons. The applicant is specifically named in the FIR to have used the weapon i.e. iron tommy to inflict the assault on the complainant Sandip. The complainant Sandip has received some injuries on his head which corroborates the allegations. The statement of complainant Sandip was recorded under Section 183 of BNSS, wherein, he reiterated the allegations in the complaint. The applicant, if released, may again create a law and order situation. He may also flee away from the ends of justice. As such, this is not a fit case wherein, the applicant can be released on anticipatory bail.

4. I have gone through the investigation papers, made available by the learned APP as well as the order of the learned Sessions Judge. Perusal of the investigation papers would show that the applicant is alleged to have assaulted the complainant by means of an iron tommy, however, the referral card issued by the Civil Hospital, Ahmednagar of the complainant Sandip Deshmukh on the MLC No. 7069 does not show any details of injuries though head injury is mentioned. The referral card further shows that no significant trauma related to abnormality is noted by the concerned Medical Officer in its record. Further, the record shows that co accused Bhagawan Garad has already filed NC report against the complainant Sandip Deshmukh for inflicting grievous injuries by means of dangerous weapons. From the record, it also appears that co-accused Bhagwan was required to undergo treatment at the Civil Hospital, Ahmednagar from 25.11.2025 to 28.11.2025. Co-accused Bhagwan is also released on anticipatory bail by the learned Sessions Judge, vide order dated 29.12.2025. Thus, from the investigation papers, it is clear that the investigation is almost complete. Hence, custodial interrogation of the applicant in such a case may not be necessary. The apprehension of the learned APP can be taken care of by imposing stringent conditions.

Hence, I am inclined to exercise discretionary powers under Section 482 of BNSS. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 1005 of 2025, registered with Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 109, 118-1, 352, 351-2, 351-3 r/w. 3-5 of the Bhartiya Nyaya Sanhita, the applicant Dilip Bhanudas Ghadge, be released on bail on furnishing PR Bond in the sum of Rs. 50,000/-, with one or more sureties in the like amount, on the following conditions :-

[i] The applicant shall attend the concerned police station and report to the Investigating Officer on 12th, 13th, 19th, 20th, 26th, 27th of March, 2026 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called by the Investigating Officer, till filing of charge sheet.

[II] The applicant shall hand over the weapon used in the crime to the Investigating Officer .

[III] The attendance of the applicant shall be treated as deemed custody for the purposes of Section 23 of the BSA.

[IV] The applicant shall not enter the village Balam Takli till the filing of the charge sheet.

[VI] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives and his current address.

[VII] The application is disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-