

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 201 OF 2026

Prabhakar Babruwan Shelke And Others

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Lomte Ashwini Annasaheb
APP for Respondents: Mr. R.K. Ingole.

CORAM : MEHROZ K. PATHAN, J.

DATE : 4th FEBRUARY, 2026.

P.C. :-

1. Notice returnable on 9th March, 2026.

2. The learned APP waives notice for State.

3. The applicants Prabhakar Babruwan Shelke and others have filed the present application for their release on anticipatory bail in connection with Crime No. 467 of 2025, registered at Police Station, Kallam, Dist. Dharashiv for the offences punishable under Sections 119-1, 118-1, 115-2, 189-2, 189-4, 191-2, 191-3, 190, 115-2, 352, 351-2 of the Bhartiya Nyaya Sanhita.

2. The learned counsel for the applicant – Ms. Ashwini Lomte submits that the applicant Nos. 1 and 2 have received serious injuries in the incident of assault carried out by the complainant Shelke Family for which FIR is registered bearing FIR No. 469 of 2025 on 17.12.2025. The applicant Nos. 1 and 2 were seriously injured and as such, there was some delay in filing the FIR due to the medical treatment being taken by applicant Nos. 1 and 2. The other accused are arrayed only to implicate

the entire members of the Shelke family. The applicant Balasaheb is 80% disabled and was not even present on the spot of incident, still, he is implicated in the crime. The applicant Bhairu arrived on the spot after the incident of assault was over, still, he is arrayed as an accused.

3. The applicants are having agricultural land situated adjacent to the land of the complainant as such, because of the dispute pertaining to the approach road towards their agricultural field, a case is pending before the Mamlatdar's Court and due to such previous enmity, the complainant and his family members assaulted the applicants and have registered a counter FIR against the applicants only with an intention to wreak vengeance. The applicants are ready to abide by the conditions that may be imposed by this Court. Hence, the applicants may be protected.

4. Thus, taking into consideration the aforesaid submissions and particularly, counter FIR bearing No. 469 of 2025 registered at the behest of the applicant Uma against the complainant and his family members, I am inclined to protect the applications, I am inclined to protect the applicants only on certain conditions till the investigation papers are seen.

O R D E R

[I] In the event of arrest of the applicants, in connection with Crime No.467 of 2025, registered at Police Station, Kallam, Dist. Dharashiv for the offences punishable under Sections 119-1, 118-1, 115-2, 189-2, 189-4, 191-2, 191-3, 190, 115-2, 352, 351-2 of the Bhartiya Nyaya Sanhita the applicants (I) Prabhakar Babruwan Shelke (ii) Uma Prabhakar Shelke (iii) Seema Balasaheb Shelke (iv) Balasaheb Babruwan Shelke and (v) Bhairu Namdeo Tele, be released on bail on furnishing PR Bond in the sum of Rs.

50,000/- each, with one or more sureties in the like amount, on the following conditions :-

[i] The applicant Nos. 1, 3 and 5 shall attend the concerned police station and report to the Investigating Officer 9th, 10th, 11th, 16th, 17th, 18th, 23rd, 24th and 25th February, 2026 and shall cooperate with the investigation.

[ii] The applicant No.4 Balasaheb Babruwan Shelke shall attend the concerned police station and report to the investigating Officer on 14th and 21st February, 2026 between 11.00 a.m. to 1.00 p.m. and shall cooperate with the investigation.

[ii] The applicants shall not enter the village Shelka Dhanora, Taluka Kallam, Dist. Dharashiv, till the time, the interim relief is operating, except with the permission of the Superintendent of Police, Dharashiv only in case of emergency.

[iii] The applicants shall not tamper with the prosecution evidence.

[iv] The Investigating Officer shall make investigation papers available on next date of hearing.

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

[v] Stand over to 9th March, 2026.

[MEHROZ K. PATHAN]
JUDGE.

grt/-