



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 229 OF 2026**

Ganesh Vitthal Walke And Another

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....

Advocate for Applicant : Mr. Tambe Rahul A

APP for Respondents: Mrs. P.J. Bharad.

Mr. R.N. Dhakane, Advocate for complainant.

CORAM : MEHROZ K. PATHAN, J.

DATE : 21st APRIL, 2026.

P.C. :-

1. The applicant has approached this Court seeking anticipatory bail in connection with Crime No. 14 of 2026, registered with Shrigonda Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 118-2, 189-2, 191-2, 191-3, 190, 352, 351-2, 115-2 of the Bhartiya Nyaya Sanhita.

2. The case of the prosecution is that the complainant was residing with his family members. His elder brother resides at Pune. The complainant is having dispute with one Vitthal Sonba Wakle, over a piece of land. The applicants are residing adjacent to him. On 14.1.2026, at about 12.30 p.m. the complainant, his wife and father were at house. The applicant Nos. 1 to 6 arrived in front of their house. The accused Ganesh Walke was armed with iron rod and accused Satish Walke was armed with stick. Accused Ganesh asked the complainant as to why he is making construction over his land and asked him to stop the

construction. Complainants parents tried to convince him that land belongs to the complainant. However, accused Ganesh got angry and assaulted the complainant with iron rod on his hand. The complainant's mother and father tried to intervene but accused Satish assaulted the complainant's father with wooden stick on his thigh. Accused Vitthal, Rukhmini, Shivani and Mahesh assaulted the complainant's wife and mother with fist and kick blows. The accused threatened to kill the complainant.

3. Mr. Tambe, the learned counsel for the applicants submits that the applicants were protected vide order dated 12.2.2026. the applicants have attended the police station and cooperated with the investigation. The necessary recoveries are also made. There are counter FIRs bearing NO. 13 of 2026 lodged by the wife of the applicant Ganesh i.e. Shivani, which is earlier in point of time, wherein, Shivani was also injured in the said incident and was required to undergo treatment. The present FIR No. 14 of 2026 is a counter FIR registered only with an intention to implicate all the family members in the present crime. After the interim orders were granted by this Court, there was no such incident of any violation of any conditions imposed by this Court. The applicants have not entered the village Makhrewadi, Taluka Shrigonda, District Ahilyanagar. Since then and the applicants are further ready to abide by any conditions that may be imposed by this Court. Hence, the application may be allowed.

4. As against this, Mrs. Bharad learned APP and the learned counsel assisting the prosecution prosecution strongly oppose the application on the ground that the applicants are involved in a serious offence of voluntarily causing grievous hurt by means of dangerous weapons which is punishable with life imprisonment. Though the applicants were directed to remain present and they have attended the

police station, however, the further investigation is to be carried out for which the custodial interrogation of the applicants is necessary. The offence is serious in nature and there is every likelihood that the applicants, if release, may again commit a cognizable offence thereby disturbing the law and order of the village and hence, this is not a fit case for grant of anticipatory bail to the applicants and hence, the application may be rejected.

5. I have gone through the investigation papers. The perusal of the investigation papers shows that the applicants have attended the police station and have cooperated with the investigation. The Necessary recovery of iron rod and stick is already made from the applicants. The allegations in the FIR No. 13 of 2026 are serious, wherein, Shivani, the wife of the applicant Ganesh was also injured. The applicants have cooperated with the investigation as could be seen from the investigation papers. Since the applicants do not have any criminal antecedents and are ready to abide by any further conditions that may be imposed, I am inclined to protect the applicants. The apprehension of the learned APP can be taken care of by imposing stringent conditions. Hence, the following order :-

ORDER

- [A] The application is allowed;
- [b] The interim order dated 12.2.2026 is hereby confirmed.
- [c] The applicants shall attend the police station, as and when called by the I.O.
- [d] The applicants shall not enter the vicinity of Makharewadi area of Shrigonda Taluka, Dist. Ahilyanagar, till the framing of the charge by the trial court.
- [e] A single violation of the conditions imposed shall entitle the prosecution to seek cancellation of bail.
- [f] The applicant shall submit their Aadhar Card and Pan card

to the Investigating Officer alongwith mobile numbers and addresses of two of their near relatives and their present addresses.

[g] The application for assisting the prosecution also stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-