



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 358 OF 2026

Sanjay Narayan Girase And Others

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Tapan Kishor Sant.
APP for Respondents: Mr. R.K. Ingole.

CORAM : MEHROZ K. PATHAN, J.

DATE : 21st APRIL, 2026.

P.C. :-

1. The applicants have approached this Court seeking anticipatory bail in connection with Crime No. 7 of 2026 registered with Parola Police Station, District Jalgaon, for the offences punishable under Sections 118-2, 76, 189-2, 191-2, 191-3, 190, 296, 61-2, 351-3, 324-4 and 79 of the Bhartiya Nyaya Sanhita and under Section 37(1)(C) of the Maharashtra Police Act.

2. The case of the prosecution is that on 8.1.2026 the informant Mahendrasing Sahebrao Girase lodged a complaint with Parola Police Station, on the allegations that on 7.1.2026 at about 10.50 a.m. at village Bole, Taluka Parola, Dist. Jalgaon, on the count of earlier quarrel, the applicants alongwith co-accused formed an unlawful assembly, assaulted, abused, threatened the complainant and outraged modesty of his mother and aunt. Therefore, on the basis of such complaint, the aforesaid crime came to be registered against the applicants and other accused.

3. Mr. Tapan Sant, the learned counsel for the applicants submits that the applicants are falsely implicated in the present crime with an intention to drag the entire family members of the Girase family in the said crime. Even if the allegations are taken to be true, there are general allegations which are against all the applicants. The assault on injured witness Pradeep is attributed to one Shyam Girase and are not against the present applicants. The injuries sustained by Pradeep is fracture of chest attributed to Shyam and not against the present applicants. The applicants are not having any criminal antecedents and are ready to abide by the conditions that may be imposed by this Court. Hence, the applicants may be released on anticipatory bail.

4. As against this, the learned APP Mr. Ingole, strongly opposes the application on the ground that the applicants are involved in serious offence of forming an unlawful assembly and thereby voluntarily causing hurt by means of dangerous weapons. Even if the role attributed to the present applicants is seen, there are overt acts mentioned against the present applicants, which reflects participation of the present applicant in the said crime. The applicants were members of the unlawful assembly formed with a common object of assaulting the victim injured witness Pradeep and other injured witnesses. The offence is punishable with life imprisonment. The applicants if released, there is every possibility of applicants indulging in acts which may cause prejudice to the prosecution case and create law and order situation in the vicinity. Hence, the application may be rejected.

5.. I have gone through the investigation papers made available by the learned APP. The perusal of the injury certificates shows that the except for the injured Pradeep, who has received head injury and injury on his knee and other parts, all other injured witnesses are shown to

have sustained only abrasions. The injury sustained by Pradeep is directly attributed to accused Shyam Girase who is not an applicant herein. The other accused, who were also identically alleged of forming unlawful assembly and voluntarily causing grievous hurt, are already released on anticipatory bail by the learned Sessions Judge, Amalner vide order dated 2.2.2026. There are general allegations against the applicants of using stick to assault the injured witnesses. The injury certificate of such injured witnesses does not corroborate the allegations in the FIR and the statements of witnesses recorded during the course of investigation. As the applicants are not having any criminal antecedents and they are ready to abide by the conditions that may be imposed by this Court, I am inclined to protect the applicants in exercise of powers under Section 482 of BNSS. Hence, the following order :-

O R D E R

[I] In the event of arrest of the applicants, in connection with Crime No. 7 of 2026 registered with Parola Police Station, District Jalgaon, for the offences punishable under Sections 118-2, 76, 189-2, 191-2, 191-3, 190, 296, 61-2, 351-3, 324-4 and 79 of the Bhartiya Nyaya Sanhita and under Section 37(1)(C) of the Maharashtra Police Act, the applicants [I] Sanjay Narayan Girase [2] Buatu Komalsingh Girase [3] Dilip Subhash Girase [4] Jayesh Dnyaneshwar Girase and [5] Harpal Pintya Girase, 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 applicants shall attend the concerned police station and report to the Investigating Officer on every Monday and Tuesday i.e. on 27th, 28th April, 2026, 4th and 5th

May, 2026 and 11th and 12th May, 2026 between 2.00 p.m. to 5. 00 p.m. and thereafter as and when called by the Investigating Officer and shall cooperate with the investigation.

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

[iii] The applicants shall not enter the jurisdiction of Parola police station, till the framing of charge by the learned trial court.

[iv] A single violation of the conditions shall entitle the prosecution to seek cancellation of bail.

[iv] The applicants 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.

[v] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-