



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 481 OF 2026

Arjun Ramdas Pandhare

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....
Advocate for Applicant : Mr. Anjanwatikar Vinay Bhalchandra
APP for Respondents: Mr. D.J. Patil.

CORAM : MEHROZ K. PATHAN, J.

DATE : 4th MAY, 2026.

P.C. :-

1. The applicant has approached this Court seeking anticipatory bail in Crime No. 51 of 2026, registered with Harsul Police Station, Dist. Chhatrapati Sambhajnagar, for the offence punishable under Sections 109-1, 115-2, 352, 308-4 r/w. 3-5 of the Bhartiya Nyaya Sanhita.

2. The prosecution case is that, the informant Pawan Tawar is operating a Sports Shop. On 15.2.2024, at about 8.00 p.m. accused Arjun called him from the phone of accused Pawan. Accused Arjun was demanding money. On refusal, accused Arjun called informant at Jadhavwadi Signal. Accordingly, informant and his brother went there. At about 8.30 p.m., informant saw accused Pawan, Arjun and Shubham standing there. Informant asked, as to why money is being demanded. At that time, accused told informant that “if you want to run a Sports Shop, he will have to pay Hafta”. Informant refused. Enraged accused assaulted him with fist and kick blows. Informant succeeded to rescue

himself. However, accused Arjun followed him and with an intention to kill him, gave a knife blow on his back. Accused Shahbaz also assaulted informant by rod on his neck. In that scuffle, gold chain of the informant was lost. Informant was taken to GHATI hospital. As such, he lodged the FIR.

3. Mr. Anjanwatikar, the learned counsel for the applicant submits that the applicant is falsely implicated in the present crime. The other co-accused is already arrested and released on regular bail. Even if the allegations in the FIR are taken to be true, the injury sustained by the complainant is simple in nature. The weapon of assault is already recovered from the arrested accused. So far as the assault with knife is concerned, the allegation is exaggerated against the applicant, which may not require custodial interrogation of the applicant. The applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, the applicant may be protected.

3. As against this, the learned APP strongly opposes the application on the ground that the applicant is directly implicated in the present FIR to have assaulted the complainant by means of dangerous weapon. The allegations are corroborated by the medical certificate issued by the Government Medical College and Hospital, Aurangabad, MNC Department, which shows the injury caused by sharp and pointed object. Even though the injury is simple in nature, the size of the injury is 8 cm x 1 cm. The allegations are corroborated by the statements recorded by the prosecution during the course of investigation of the witnesses Sandip Tawar and others who have seen the applicant assaulting the complainant. Thus, there is ample evidence collected by the prosecution to bring home the guilt of the applicant. The offence of attempt to commit murder is punishable with life imprisonment. Hence, this is not a

fit case for grant of anticipatory bail.

4. I have gone through the investigation papers made available by the learned APP. The investigation papers shows that the accused Shahbaz was already arrested and released on regular bail. The weapon iron rod used by accused Shahbaz is already recovered. The applicant is not having any criminal antecedents. The injury Certificate issued by the Govt. Medical College, Aurangabad shows simple injury sustained by the complainant. The statement of the prosecution witness Sandip Tawar is recorded on 1.3.2026 i.e. almost about 15 days after the date of incident. The wife of the brother of the applicant had made a complaint to the Commissioner of Police Ahilyanagar on 23.2.2026 levelling allegations of false implication of the applicant. The brother of the applicant is already implicated in a separate FIR for the same allegations of assault in a different place by another complainant. Thus, the submission of the counsel for applicant that the applicant is falsely implicated in the present crime, appears to be probable at this stage. However, these observations are prima facie in nature and are made only for the purpose of deciding the application. The same may not influence the trial court. Since the applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court, I am inclined to protect the applicant, however, on certain conditions. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 51 of 2026, registered with Harsul Police Station, Dist. Chhatrapati Sambhajinagar, for the offences punishable under Sections 109-1, 115-2, 352, 308-4 r/w. 3-5 of the Bhartiya Nyaya Sanhita, the applicant Arjun Ramdas Pandhare, 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 every Saturday between 11.00 a.m. to 1.00 p.m. till filing of the charge sheet and shall cooperate with the investigation.
- [ii] The applicant shall not enter the jurisdiction of Harsul Police Station, till filing of charge sheet.
- [iii] The applicant shall not tamper with the prosecution evidence.
- [iv] A single violation of the conditions shall entitle the prosecution to seek cancellation of bail and would result in vacation of interim protection.
- [v] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives.
- [vi] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-