



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 508 OF 2026

DNYANESHWAR BHAGVAN NAVGHARE
VISHAL BHAGVAN NAVGHARE

VERSUS

THE STATE OF MAHARASHTRA

...

- Mr. B. N. Magar, Advocate for the Applicants
- Mr. A. S. Shinde, APP for the Respondent – State

...

CORAM : MEHROZ K. PATHAN, J.

DATED : 28.04.2026

PER COURT :

1. Not on board. Upon mentioning, taken on board.
2. Heard learned counsel for the applicants and the learned APP for the respondent–State. Perused the application, FIR, and the investigation papers made available for the Court’s consideration.
3. At the outset, learned counsel for the applicants seeks permission to withdraw the present application insofar as applicant No.2 – Vishal Bhagvan Navghare is concerned, in view of the nature of allegations and the injuries attributed to him, and the disinclination of this Court to grant relief.
4. Permission, as sought, is granted. The Anticipatory Bail Application stands disposed of as withdrawn insofar as applicant No.2 – Vishal Bhagvan Navghare is concerned.

5. The present application is, therefore, considered only in respect of applicant No.1 – Dnyaneshwar Bhagvan Navghare, who is apprehending arrest in connection with FIR No. 59 of 2026 dated 05.03.2026, registered with Basmat Rural Police Station, Taluka Basmat, District Hingoli, for the offences punishable under Sections 115(2), 118(2), 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

6. The prosecution case, in brief, is that on 04.03.2026 at about 7:00 p.m., the complainant – Vijaykumar Navghare was standing near Babhulgaon Phata on Basmat–Vakhari Road. At that time, both the accused approached him and questioned him regarding the issue of drainage water (sandpani) flowing from his uncle's house.

7. It is alleged that due to this, a quarrel ensued between the parties. During the course of the incident, the present applicant – Dnyaneshwar allegedly assaulted the complainant by means of a stick on his leg, whereas co-accused Vishal allegedly assaulted him by means of a wooden object on his foot, causing injury to his toe. It is further alleged that both the accused abused and threatened the complainant. On hearing the commotion, nearby villagers gathered at the spot and intervened, after which the accused left the place. The complainant was thereafter taken for medical treatment and

subsequently lodged the present FIR.

8. Learned counsel for applicant No.1 submits that the applicant is a semi-government employee working as an Arm Guard appointed by the Superintendent of Police. It is submitted that even if the allegations in the FIR are taken at their face value, the role attributed to the applicant is limited to assault by means of a stick, which has resulted only in simple injury. It is further submitted that the grievous injury, if any, is attributed to co-accused Vishal, whose application has already been withdrawn. It is contended that there are cross allegations arising out of the same incident, as reflected in FIR No. 60 of 2026 lodged by the co-accused Vishal, indicating that the present case is a result of a sudden quarrel and counter allegations.

9. Learned counsel further submits that the applicant has no criminal antecedents, is a permanent resident, and is ready to abide by any conditions imposed by this Court. It is thus urged that custodial interrogation is not necessary and that the applicant deserves protection under Section 482 of the BNSS.

10. Per contra, learned APP strongly opposes the application, contending that the applicant is involved in a serious offence. It is submitted that the applicant has actively participated in the assault and that the injury certificate issued by the Sub-District Hospital, Basmat, corroborates the version of the complainant. It is further

submitted that there are eye-witnesses to the incident and that releasing the applicant on anticipatory bail may adversely affect the investigation. The learned APP, therefore, urges that the application be rejected.

11. I have carefully considered the rival submissions and perused the investigation papers. The material placed on record, particularly the injury certificate issued by the Sub-District Hospital, Basmat, indicates that the injury attributed to the present applicant – Dnyaneshwar Bhagvan Navghare is on the leg of the complainant and is described as simple in nature. The more serious allegations of causing grievous injury are attributed to co-accused Vishal Bhagvan Navghare, whose application has already been withdrawn. Thus, the role attributed to the present applicant appears to be limited in nature and comparatively less serious.

12. It is also pertinent to note that the incident appears to have arisen out of a sudden quarrel over a trivial issue relating to drainage water, and there are cross complaints filed by both sides, suggesting that the matter may have stemmed from a mutual altercation. The applicant is stated to be a semi-government employee and there are no criminal antecedents attributed to him. There is nothing on record to indicate that custodial interrogation of the applicant is necessary for the purpose of investigation. The apprehension expressed by the

prosecution can be adequately addressed by imposing suitable and stringent conditions. In view of the aforesaid circumstances, this Court is inclined to grant protection to applicant No.1 – Dnyaneshwar Bhagvan Navghare. Hence, the following order :-

ORDER

- i. The Anticipatory Bail Application is allowed insofar as applicant No.1 – Dnyaneshwar Bhagvan Navghare is concerned.
- ii. In the event of arrest of applicant No.1 – Dnyaneshwar Bhagvan Navghare, in connection with FIR No. 59 of 2026 dated 05.03.2026 registered with Basmat Rural Police Station, Taluka Basmat, District Hingoli, for the offences punishable under Sections 115(2), 118(2), 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount each, subject to the following conditions :
 - A) The applicant shall attend the concerned police station and report to the Investigating Officer on 05th, 06th, 12th, 13th, 19th and 20th May, 2026 between 12:00 noon and 02:00 p.m., and thereafter as and when called, till filing of the charge-sheet.
 - B) The Applicant shall also cooperate with the investigation.

- C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

13. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the anticipatory bail granted hereinabove.

14. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.

15. In view of the above, the Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)