



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 523 OF 2026

SHIVAJI DASHARATH BHISE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

WITH

CRIMINAL APPLICATION NO. 1407 OF 2026

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Advocate for Applicant in ABA : Mr. H. D. Deshmukh

APP for Respondents/State : Mr. S. A. Gaikwad

Advocate for Complainant : Mr. V. S. Wakale

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CORAM : MEHROZ K. PATHAN, J.

DATE : 27th APRIL 2026

ORDER :

1. Heard the learned Counsel for the Applicant, the learned Counsel for the Complainant and the learned APP for the Respondent/State.
2. The Applicant has approached this Court, seeking anticipatory bail application in connection with Crime No. 106/2026 registered with Newasa Police Station, District Ahilyanagar for the offences punishable under Sections 118(1), 351(2), 352, 3(5) and added Section 118(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the Complainant, Gayabai, filed the present FIR being Crime No. 106/2026 dated

13.02.2026, stating that on 10.02.2026, Shivaji Bhise along with other accused persons, namely Tanubai, Kamlabai, and Pradeep, assaulted her. The Complainant was required to undergo treatment at Apex Hospital for three days. Thereafter, the FIR came to be registered for taking appropriate action against the said persons.

4. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. It is pointed out that an earlier FIR being Crime No. 100/2026 dated 10.02.2026 was registered on the complaint of Tanubai Bhise against Complainant Gayabai, her son, and her husband, which is prior in point of time. There is a delay of three days in lodging the present FIR. The FIR No. 100/2026 is a fallout of the earlier FIR and has been filed only with the intention of wreaking vengeance against all the family members of the Bhise family. The Applicant was not even present at the spot, and the medical certificate placed on record shows that the Applicant was suffering from viral fever from 09.02.2026 to 11.02.2026, which shows that the Applicant was not present on the spot of the incident. The Applicant is not having any criminal antecedents. The Applicant is ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be released on anticipatory bail.

5. The learned APP Mr. Gaikwad, on the other hand, strongly opposes the bail application on the ground that the Applicant is involved in the serious offence of attempt to commit murder and

voluntarily causing grievous hurt by means of a dangerous weapon. The offence is grave in nature, and hence the application deserves to be rejected. The injury certificate corroborates the allegations made in the FIR. The statements of Taibai and Gayabai also corroborate the allegations in the FIR. There are two earlier offences against the Applicant, registered as Crime No. 1057/2025 and Crime No. 744/2025, registered against him. It is further submitted that if the Applicant is released on bail, he may again commit offences of a similar nature, thereby threatening the Complainant and her family members. Hence the Applicant may not be released on bail.

6. I have gone through the investigation papers made available by the learned APP. A perusal of the injury certificate of Complainant Gayabai Bhise records that she sustained a contused lacerated wound on the fronto-temporal region with cerebral edema, which is grievous in nature and required three days for recovery. The allegations are direct and specific. The investigation papers also contain the statements of Gayabai and Taibai, wherein they have directly implicated the role of the present Applicant. There are criminal antecedents against the Applicant, including Crime No. 744/2025 dated 11.08.2025 registered under identical provisions of Section 118(1) of the BNS, filed by Gayabai against the Applicant and his family members. FIR No. 1057/2025 was also filed under Section 118 of the BNS by Gayabai's husband/Trimbak Bhise, on 20.12.2025. There is every likelihood that the Applicant, if released on bail, may again commit offences of an identical nature, thereby threatening the

Complainant and her family members, which may result in prejudice to the prosecution's case.

. Taking into consideration the material collected by the prosecution against the present Applicant, I am not inclined to exercise discretion under Section 482 of the BNSS. The application for grant of anticipatory bail is, therefore, rejected.

7. The Criminal Application is also disposed of.

MEHROZ K. PATHAN
JUDGE

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