



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

ANTICIPATORY BAIL APPLICATION NO. 529 OF 2026

**1. SANTOSH DNYANDEV GAVALI
2. SHUBHAM SANTOSH GAVALI
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Ms. J. R. Nawale

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

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CORAM : MEHROZ K. PATHAN, J.

DATE : 29th APRIL 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the State.
2. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.55/2026 registered with M.I.D.C. Paithan Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 119(1), 118(1), 115(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.
3. The learned Counsel for the Applicants submits that the Applicants have been falsely implicated in the present crime. On the date of the incident, the Applicants themselves sustained injuries during a scuffle that occurred spontaneously due to political rivalry

in the village. The Applicants were required to undergo treatment at the Government Medical College, Aurangabad, on 20.02.2026. Despite this, the police authorities failed to register the FIR on the Applicants' complaint and instead registered the present FIR against them based on the complaint of Ramnath Nawale. It is further submitted that the Applicant has two criminal antecedents: one being an old and stale offence from the year 2017, and the other from 2024 arising out of a matrimonial dispute. Except for these two cases, the Applicants have not been involved in any other criminal activity. The Applicants have no criminal antecedents and are ready to abide by any conditions that may be imposed by this Court. Hence, the Applicants may be protected.

4. As against this, the learned APP strongly opposes the present application on the ground that the Applicants have a criminal tendency to indulge in bodily offences, as evident from the earlier crimes registered against them. It is submitted that the Applicants committed a serious offence by snatching money from the pocket of the Complainant and assaulting him with a sickle. The incident has been captured in CCTV footage, wherein the Applicants are seen rushing to assault the Complainant. The offence is grave in nature and is punishable with imprisonment up to 10 years. Hence, this is not a fit case to release the Applicant on bail.

5. I have gone through the investigation papers made available by the learned APP. The injury certificate issued in the name of

Ramnath Nawale, the complainant herein, from the Primary Health Centre, shows that the Complainant sustained only a simple injury in the form of local swelling on the upper back of both hands, said to have been caused by a hard and blunt object. The injury certificates of Rushikesh and Gopal also indicate simple injuries. The documents show that the Applicants themselves were treated at the Government Medical College, Aurangabad, on 20.02.2026. The submission of the learned Counsel for the Applicants, that in the incident the Applicants were also assaulted by the Complainant, appears to be probable at this stage. However, these observations are prima facie in nature and shall not influence the trial Court. Thus I am inclined to protect the Applicant, however upon certain conditions. Hence the following order :

ORDER

(i) In the event of arrest of the Applicants - Santosh Dnyandev Gavali and Shubham Santosh Gavali in connection with Crime No.55/2026 registered with M.I.D.C. Paithan Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 119(1), 118(1), 115(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties in the like amount, on the following conditions :

(a) The Applicants shall attend M.I.D.C. Paithan Police Station, District Chhatrapati Sambhajnagar on every Saturday between 11:00 am. to 01:00 pm. and thereafter as when called by the Investigating Officer, filing of the charge-sheet.

(b) The Applicants shall not enter the Village Narayangaon, Taluka

Paithan, District Chhatrapati Sambhajanagar till filing of the charge-sheet.

(c) The Applicants shall not tamper with the prosecution evidence and shall not influence the witnesses.

(d) The Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.

(e) A single violation of the conditions would entitle the prosecution to seek cancellation of the bail.

(ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE

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