



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

919 ANTICIPATORY BAIL APPLICATION NO. 574 OF 2026

Vishwajeet s/ Dattatraya Nagare,
Age: 20 years, Occu: Student,
R/o. Near Mukbadhri School
Nagar Road Balepir, Sambhajingar,
Beed, Tq. & Dist. Beed.

...APPLICANT

VERSUS

1) The State of Maharashtra,
Through: Police Inspector,
Shivajinagar Police Station,
Beed. Tq. & Dist. Beed.

2) The Superintendent of Police,
Beed. Tq. & Dist. Beed.

...RESPONDENTS

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Advocate for Applicant : Mr. Jadhav N. L.
APP for Respondent Nos. 1 & 2/State : Mr. P.D.Patil
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**CORAM : MEHROZ K. PATHAN, J.
DATE : 24.04.2026.**

PER COURT :

1. Heard the learned counsel appearing for the respective parties.

2. The applicant has approached this Court in connection of crime No. 313 of 2025 dated 05.06.2025, registered with Shivajinagar Police Station, Beed, District Beed, for the offence punishable under

Sections 109, 118 (2), 118 (1), 115 (2), 352, 351 (3), 126 (2) of the Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the informant Ahemad Khan Liyakat Khan lodged F.I.R. on 04.05.2025 alleging that, on the same day at about 11.00 a.m., he and his friend Sadeq Khan Jafar Khan went to Bidkin in Mahindra Jeep pick up No. MH-16-CD-8178. While returning by the said vehicle at 8.30 p.m. they reached at Annabhau Sathe Chowk. At that time, one red color bullet motorcycle came from the backside. There were 3 persons seating on the said bullet. As the said bullet was obstructing the way informant's vehicle, he blew horn. Then, one person wearing black shirt on the bullet got down and started abusing the informant and his friend. Then, suddenly boy wearing black shirt took out sickle kept inside shirt and started chasing the informant and his friend. Then, informant and his friend took out tommy from their vehicle and started running to save themselves. Thereafter, those three unknown persons sitting on the red bullet followed the informant with sickles in their hands. The person wearing black shirt inflicted blow of sickle on informant, informant stopped it with left hand and thereby he sustained injury near the left index finger. The person wearing red shirt inflicted blow of sickle on the forehead and left cheek of Sadeq Khan with an intention to kill him. Thereafter, all the three assailants

assaulted the informant with fists blows and kicks. With the above allegations the First Information Report is registered.

4. The learned Counsel for the applicant submits that the applicant is innocent and he has not committed any crime as alleged. Applicant is student of Vivekanand Polytechnic College, Kaij. Co-accused Bhargav Sunil Chirke has been released on bail vide order passed in Criminal Bail Application No.105/2026. The F.I.R. was registered against unknown persons. Applicant is ready to attend the test identification parade. Nothing incriminating has been seized from co-accused Bhargav Chirke, though he was in custody for sufficient period. The informant has exaggerated the statement before the police. The informant has not sustained any injury on the vital part of the body. The informant has been discharged from the hospital long back. The applicant is permanent resident of Sambhaji Nagar, Beed. The applicant is ready to co-operate in investigation. The applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court, therefore, the applicant may be released on anticipatory bail.

5. The learned counsel for the applicant submits that the applicant is falsely implicated in the present crime and even if all the allegations are taken as true, the only role attributed to the applicant

is about being present on the spot and driving the motor cycle, on which the other assailants were travelling. There is counter FIR bearing No. 315 of 2025, registered by the Complainant, wherein, the Complainant is also an accused in that crime. The CCTV footage shows that the applicant was only driving the vehicle and an assault is attributed to other two accused persons, who are already arrested and released on regular bail. The applicant is not having any criminal antecedents and is ready to abide any conditions that may be imposed by this Court, hence the applicant may be released on anticipatory bail.

6. The learned APP strongly opposed the application on the ground that applicant is involved in the serious offence of attempting to commit murder. There are direct allegations against the applicant of accompanying the other assailants and assaulting by means of dangerous weapon. There are injuries sustained by the Complainant and his friends Ahmed Khan and Sadekh Khan, who were also injured in the aforesaid incident and the applicant is seen in CCTV footage as present on the spot, Hence, the custodial interrogation of the applicant is necessary. The application may therefore be rejected.

7. I have gone through the investigation papers that were made available by the learned APP. From the perusal of the papers

the presence of the applicant is established by the CCTV footage transcript panchanama. However, the assault by means of dangerous weapon i.e. sickle is against the arrested co-accused Bhagwat Sunil Shirke and Ajit Dahale, who were already arrested and released on regular bail.

8. The role of the applicant is only limited to driving the vehicle on which the assailants have chased the Complainant and assaulted him and his friends. The applicant is a student and is not having any criminal antecedents and is further ready to abide any conditions that may be imposed by this Court. The investigation papers shows that the investigation is almost complete, hence, the custodial interrogation of the applicant is not necessary. The apprehension of the learned APP can be taken care by imposing stringent conditions on the applicant, hence, I am inclined to protect the applicant under Section 482 of the BNSS, hence the following order :

ORDER

(1) In the event of arrest of the Applicant - Vishwajeet s/ Dattatraya Nagare, in connection with Crime No. 313 of 2025 dated 05.06.2025, registered with Shivajinagar Police Station, Beed, District Beed, for the offence punishable under Sections 109, 118 (2), 118 (1), 115 (2), 352, 351 (3), 126 (2) of the Bhartiya Nyaya Sanhita, 2023, he be released

on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with two solvent sureties in the like amount, on the following conditions :

(i) The Applicant is directed to attend Shivajinagar Police Station, Beed, District Beed on 29th, 30th, of April 2026 and 13th, 14th May, 2026, in between 11.00 a.m. to 01.00 p.m. and co-operate with the Investigating Officer and thereafter present himself as and when called by the Investigating Officer till filing of the charge-sheet.

(ii) The Applicant shall not enter into the jurisdiction of Shivajinagar Police Station Taluka & District Beed, except by taking permission from the concerned Police Station Officer, till filing of the charge-sheet.

(iii) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.

(iv) The Applicant shall submit his Aadhar Card and PAN Card to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(v) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the applicant on that ground.

(vi) With the aforesaid directions, the application is disposed of.

(MEHROZ K. PATHAN, J.)