



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

ANTICIPATORY BAIL APPLICATION NO. 582 OF 2026

1. NIKHIL AJAY SALVE
2. HRUTIK NITIN SALVE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. G.R. Syed

APP for Respondents/State : Mr. D. J. Patil

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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.927/2025 registered with Topkhana Police Station, District Ahilayanagar for the offences punishable under Sections 109(1), 126(2), 118(1), 189(1), 189(2), 190, 191(2), 191(3), 115(2), 37(3), 135 of Bharatiya Nyaya Sanhita, 2023.

3. The learned Counsel for the Applicants Mr. Syed submits that the Applicants are falsely implicated in the present crime. Even if the allegations are taken to be true, a plain reading of the FIR shows that the Applicants have a limited role of merely being present at the

spot along with the other accused, who actually assaulted the victim Chaitanya and his friend Abhishek. The perusal of the FIR indicates that Chaitanya was assaulted with an iron rod by Amol Padale, whereas no specific overt act is attributed to the Applicants of delivering blows either to Abhishek or to Chaitanya. The role attributed to the Applicants is general in nature. 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, though the FIR initially does not specifically attribute any particular role to the Applicants apart from their presence as members of the unlawful assembly, the statement of the injured Chaitanya and other witnesses has directly implicated the Applicants in assaulting the victim Chaitanya with an iron rod and causing grievous injury. The injury certificates corroborate the allegations made in the FIR, showing that Chaitanya sustained two injuries, both grievous in nature, one of which is attributable to the present Applicants. The offence is serious in nature, being an attempt to commit murder, which is punishable with life imprisonment. Even though the Applicants may not have any criminal antecedents, the other co-accused do have such antecedents. There is every likelihood that the Applicants may again indulge in similar offences if released on anticipatory bail and may further threaten the Complainant and other witnesses, thereby causing

prejudice to the prosecution case. 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, which have now culminated in the filing of the charge-sheet against the arrested accused. A perusal of the FIR shows that there are direct allegations against Amol, who has already been arrested and released on regular bail. The assault on the vital part is attributed to Amol and not to the Applicants. The FIR indicates that the Applicants were only members of the assembly that had gathered due to a scuffle between the Complainant, the victim, and the accused persons. The statements implicating the role of the present Applicants were recorded almost two months after the date of the incident. The initial statement of the Complainant Abhishek does not implicate any direct overt act against the Applicants.

. Be that as it may, these observations are prima facie in nature and made with purpose to decide the present application and the same shall not influence the trial Court. However taking into consideration the Applicants have no criminal antecedents and are ready to abide by any conditions that may be imposed by this Court. Hence, I am inclined to protect the Applicants in exercise of discretionary powers under Section 482 BNSS, however upon certain conditions. Hence the following order :

ORDER

(i) In the event of arrest of the Applicants - Nikhil Ajay Salve and

Hrutik Nitin Salve in connection with Crime No.927/2025 registered with Topkhana Police Station, District Ahilayanagar for the offences punishable under Sections 109(1), 126(2), 118(1), 189(1), 189(2), 190, 191(2), 191(3), 115(2), 37(3), 135 of Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing PR. 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 Topkhana Police Station, District Ahilayanagar on every Saturday between 11:00 am. to 01:00 pm. and thereafter as when called by the Investigating Officer, till filing of the supplementary charge-sheet if any against the Applicants.
 - (b) The Applicants shall not enter the jurisdiction of Topkhana Police Station, District Ahilayanagar till the framing of charge, except for attending the police station on the aforementioned dates.
 - (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