



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

ANTICIPATORY BAIL APPLICATION NO. 641 OF 2026

Mitaji Bhausahab Waghmode And Another

VERSUS

The State Of Maharashtra And Another

WITH CRIMINAL APPLICATION NO. 1568 OF 2026

Babasaheb Pandharinath Waghmode

VERSUS

Mitaji Bhausahab Waghmode And Others

Mr. N. B. Narwade h/f Mr. K. K. Katariya, Advocate for applicants in
ABA/641/2026

Ms. R. P. Gour, APP for respondent-State

Mr. Joydeep Chatterji, Advocate for applicant in Criminal Application No.
1568 of 2026

CORAM : R. M. JOSHI, J.

DATE : 10th JUNE, 2026

PER COURT :-

1. Applicants seeks bail in connection with Crime No. 0215 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar, for the offences punishable under Section 119(1), 119(2), 118(1), 189(2), 191(2), 191(3), 190, 126(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023.

2. First Information Report lodged by Babasaheb Waghmode indicates that an incident had occurred on 14.03.2026 at about 7:00 PM. He was assaulted by the present applicants and co-accused. The allegation is that owing to the dispute with regard to the land, he was

abused and assaulted with weapons carried out by the applicants and co-accused in the said incident, he sustain grievous injuries.

3. Learned counsel for the applicants submit that the delay in lodging of the report and considering the previous dispute between the parties, possibility of false application is not ruled out. As far as allegations against present applicants are concerned, it is his contention that allegations are not specific and in any case, since the alleged weapons used in the crime are seized by the police, custodial interrogation is not necessary.

4. Learned APP and learned counsel for informant opposes grant of interim relief to the applicants. Learned APP submits that there are criminal antecedents against the applicants and considering specific role attributed to them in this crime, this is a fit case for rejecting the application.

5. *Prima facie*, on perusal of the record indicates that there are disputes between the parties over the landed property. It is further not in dispute that both parties have lodged various crimes against each other and that is the reason why antecedents are cited against the applicant. At this stage, it needs to be recorded that there are serious dispute between the parties and has rightly argued by the learned counsel for the applicants that possibility of false implication or exaggeration is not

ruled out. This becomes relevant in view of the delay caused in lodging of the First Information Report. In any case, since the weapons allegedly used in the crime are already seized and practically investigation into the crime is over, this Court finds no reason to reject the application. Hence, application stands allowed.

ORDER

(i) Application is allowed.

(ii) In the event of arrest of applicants in connection with Crime No. 0215 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar, for the offences punishable under Section 119(1), 119(2), 118(1), 189(2), 191(2), 191(3), 190, 126(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023., they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.

(iii) Applicants are directed to attend concerned police station if called by written notice till filing of the chargesheet.

(iv) Applicants shall not contact the witnesses directly or indirectly.

(v) Applicants shall not interfere with the evidence in any manner whatsoever.

(vi) Applicants further directed to cooperate the investigating agency for further investigation.

6. In view of disposal of Anticipatory Bail Application, pending criminal application stands disposed of.

(R. M. JOSHI, J.)

B. S. Joshi