PRACHI PRANESH NANDIWADEKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2065 OF 2026

Sunil Shivaji Pagare … Applicant

V/s.

State of Maharashtra …. Respondent

Mr. Shailesh Pal a/w Mr. Ashwin Tripathi, for the applicant.

Mr. S. S. Ghag, APP for the respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : 19 AUGUST 2026

P. C. :-

1. Heard Mr. Shailesh Pal, learned Counsel appearing for the Applicant and Mr. Ghag, learned APP appearing for the Respondent-State.

2. By this application filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 the Applicant is seeking pre-arrest bail in connection with C.R. No. 321 of 2026 registered with the Yeola Taluka Police Station, Nashik.

3. At the outset, Mr. Pal states that he be granted leave to withdraw the Anticipatory Bail Application with liberty to file fresh Anticipatory Bail Application as another F. I. R. registered by the same first informant in C. R. No.80 of 2025 registered with Yeola Taluka Police Station, Nashik Rural has remained to be disclosed in the Anticipatory Bail Application.

4. However, he further states that the first informant is cousin of the present applicant and the offence involved in the present application is regarding boundary dispute as both of them are having agricultural land. He submits that except the said C.R. No.80 of 2025, there is no other crime against the Applicant. He submits that the said C. R. No.80 of 2025 has also been lodged as there is family dispute between the Applicant and his cousin.

5. On the other hand, Mr. Ghag, learned APP strongly opposes the application.

6. The prosecution case is set out in paragraph 6 of the order dated 17 July 2026 passed by the learned Additional Sessions

Judge, Yeola in Criminal Bail Application No.157 of 2026. The said paragraph no.6 reads as under :-

> "6. Copy of FIR in Crime No. 321 of 2026 of Yeola Taluka Police Station shows that Levhi Danial Pagare has given report against applicant/accused No. 1 and 2 that on 13/06/2026 at 5.30 p.m. he along with his brother Dipak, cousin Premchand went to their field at that time they saw that applicant/accused No. 1 and 2 have taken 29 to 30 cement-pole out of 35 cement-pole kept in the field No. 58/4, 32 of village Suregaon. He saw that applicant/accused No. 1 and 2 were trying to take out 5 to 6 cement-pole by their hand. Those cement-pole kept in the field to mark boundary of the field. He asked them about the theft, both applicant/accused get annoyed on it. Applicant/accused No. 2 has taken mud in her hand thrown towards the informant and beat him. Applicant/accused No. 1 threaten him not to come on the field again otherwise he will kill him and he will bury him there. Thereafter informant along with his brother and cousin went home. In this way applicant/accused No. 1 and 2 have stolen 35 cement-pole worth of Rs. 7000/-. On the report of informant crime is registered against applicant/accused No. 1 and 2."

7. Thus even as per the prosecution case, 5 to 6 cement poles were removed by the Applicant and Accused No.2 who is the wife of the Applicant.

8. Learned counsel for the Applicant states that Applicant's wife has already been granted Anticipatory Bail by the learned Additional Sessions Judge, Yeola.

9. Thus in these facts and circumstances, although an antecedent has remained to be mentioned in the Application as the

same is pointed out to this Court during the hearing of this Anticipatory Bail Application and as the same is also concerning family dispute with his cousin, in these peculiar circumstances, case is made out for grant of Anticipatory Bail by imposing following conditions :-

O R D E R

(a) In the event of arrest of the Applicant in connection with C.R. No.321 of 2026 registered with the Yeola Taluka Police Station, Nashik, the Applicant is directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.20,000/- with one or two solvent sureties each in the like amount.

(b) The Applicant shall attend the concerned Police Station on 27 August 2026 between 11:00 a.m. to 02:00 p.m. and thereafter, as and when called.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any

inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

10. The observations made in this order are only for the purpose for considering the anticipatory bail application.

11. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]