

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1976 OF 2025

1. Vijay Trambak Pagar ...Applicants
2. Ajay Trambak Pagar

Versus

The State of Maharashtra & Anr. ...Respondents

WITH
INTERIM APPLICATION NO.2895 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.1976 OF 2025

Uttam Bhaguji Pagar ...Applicant

IN THE MATTER BETWEEN

1. Vijay Trambak Pagar ...Applicants
2. Ajay Trambak Pagar

Versus

The State of Maharashtra & Anr. ...Respondents

Mr. Ranjit Jadhav, for the Applicants.
Mr. S. M. Mangaonkar, APP, for the Respondent-State.
Mr. Shantanu Katkar a/w Shubham Jangam, for Respondent No.2.
Head Constable N. S. Ganore & Head Constable V. N. Ghumare,
Vadner Bhairav Police Station, District-Nashik, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 13 JANUARY 2026

PC:-

1. Heard Mr. Jadhav, learned Counsel appearing for the Applicants, Mr. Mangaonkar, learned APP for the Respondent-State of Maharashtra and Mr. Katkar, learned Counsel appearing for Respondent No.2.

2. By the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with CR No.125 of 2025 registered with the Vadner Bhairav Police Station, District-Nashik, for the offences punishable under Sections 189(2), 191(2), 191(3), 190, 118(1), 115(2), 352 and 351(2) of the *Bharatiya Nyaya Sanhita, 2023* (“BNS”).

3. It is the submission of Mr. Jadhav, learned Counsel appearing for the Applicants, that the Applicants and Respondent No.2 are cousins. He submits that there is a dispute regarding ancestral land and, therefore, the incident took place suddenly. He further submits that Applicant No.2 i.e. Accused No.1 has lodged a FIR being CR No.123 of 2025 with the Vadner Bhairav Police Station, Nashik Rural, on 23rd June 2025, for the offences punishable under Sections 118(1), 115(2), 352, 351(2) and 3(5) of BNS. Thereafter, as an afterthought, the subject FIR being CR No.125 of 2025 was lodged on 24th June 2025 with the Vadner Bhairav Police Station, Nashik Rural. He submits that the subject FIR has been filed after a period of 24 hours and is an afterthought. In any case, he submits that the incident in question has taken place on

the spur of the moment and that there are no other antecedents against the Applicants and therefore the Anticipatory Bail Application be granted.

4. On the other hand, Mr. Mangaonkar, learned APP and Mr. Katkar, learned Counsel for Respondent No.2, strongly oppose the Anticipatory Bail Application. Both of them submit that the injuries are grievous in nature and are on the vital parts of the body. Both of them therefore submit that the Anticipatory Bail Application be rejected.

5. The prosecution case is set out in Paragraph No.2 of the Order dated 7th July 2025 passed by the learned Additional Sessions Judge, Niphad in Criminal Bail Application No.269 of 2025, which reads as under :-

“2. It is case of the prosecution as per First Information Report that according to the informant, he is having ancestral agricultural land at Manoli Budruk admeasuring 3.5 acre, out of which he has given 2 acres land for cultivation to Valu Tipayle. On 16/06/2025, at about 8-30 a.m. Shri. Tipayle called informant on mobile and told that Ajay Pagar i.e. the cousin brother of informant is obstructing him from cultivation. Thereafter, on 19/06/2025, at about 10-30 a.m., informant along with his son Subhash were going to dispensary on

motorcycle. When they were proceeding from road through Gat no.830, owned by Balanath Pagar, Ajay Pagar was standing there armed with axe along with Vijay Pawar and Dnyeshwar Pagar. Informant stopped the motorcycle and asked Ajay why he obstructed Valu Tipayle from cultivating the land. Thereafter, Ajay started abusing informant and during the quarrel, he tried to assault informant with axe. When son of the informant Subhash came to save informant, the said axe hits on the head of Subhash. Thereafter, Dnyeshwar and Vijay assaulted informant with iron rod on both hands and back and also to Subhash on both hands and legs. After listening shouts, Yash Pagar, Shivaji Pagar and Pratap Pagar rushed there armed with bamboo sticks and they assaulted informant and Subhash on entire body. When Sangeeta i.e. wife of informant came to rescue them, all the accused assaulted her with iron rods, bamboo sticks and slaps. Accused then threatened them to kill. Akshay Pagar then rescued the quarrel and took injured to hospital and then F.I.R. is given.”

6. Perusal of the record shows that the incident took place suddenly, however, the injuries are grievous in nature and are on the vital parts of the body. The position on record also shows that the Applicants and the First Informant are cousins and that there is a dispute with respect to ancestral agricultural land. There are no criminal antecedents against the Applicants.

7. Therefore, although the case is made out for grant of anticipatory bail, in the facts and circumstances, it is necessary to impose stringent conditions.

8. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant No.1 - Vijay Trambak Pagar and Applicant No.2 - Ajay Trambak Pagar, in connection with CR No.125 of 2025 registered with the Vadner Bhairav Police Station, Nashik Rural, they be released on bail on their furnishing PR Bond in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the concerned Police Station, once in a week i.e. on every Sunday between 11:00 am to 02:00 pm and thereafter as and when called by the Investigating Officer till filing of the Charge-sheet and shall cooperate with the investigation.
- (c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.

- (d) The Applicants 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 Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

10. In view of disposal of the Anticipatory Bail Application, nothing survives in the Interim Application and the same is also disposed of.

[MADHAV J. JAMDAR, J.]