

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 56 OF 2026

Ganesh Bhikaji Pathare

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Viresh Purwant a/w Mr. Suraj Gadkari, Advocate for the Applicant.

Mr. B. V. Holambe Patil, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 10.02.2026.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 402 of 2025 registered at Rabodi Police Station, for the offences punishable under Sections 109 & 49 of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that on the date of the incident, which took place on 22.09.2025, due to a previous dispute, the son of the present applicant, at the instance of the

present applicant, assaulted the first informant by a knife and attempted to commit his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that the alleged assault by a knife is attributed to the son of the applicant. It is submitted that custodial interrogation of the applicant is not necessary, as nothing is to be recovered at the instance of the applicant. It is further submitted that there are no other criminal antecedents against the applicant. The learned counsel for the applicant submits that before the Sessions Court, the first informant has given no objection to release the applicant on anticipatory bail. It is submitted that the applicant, without prejudice to his rights and contentions, is willing to pay Rs.1,00,000/- to the Police Welfare Fund within a period of three weeks.

6. On the other hand, the learned APP for the respondent-State submits that the present applicant instigated his minor son

to assault the first informant. It is submitted that the first informant has sustained multiple grievous injuries. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report. The allegations against the applicant are of instigation. There are no other criminal antecedents against the applicant. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 402 of 2025 registered at Rabodi Police Station, for the offences punishable under Sections 109 & 49 of the Bharatiya Nyaya Sanhita, 2023, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

d) The applicant shall pay the amount of Rs.1,00,000/- to Maharashtra Police Welfare Fund in the following bank account within a period of ten weeks :

Bank Name. Axis Bank,

Acc No. 914010029005759,

IFSC Code. UTIB0000060.

e) The applicant shall not commit any other crime.

[N.R.BORKAR, J.]