

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.434 OF 2026

Ajay Baburao Fangal	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Sahil Choudhari, for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED: 27 February 2026

PC:-

1. Heard Mr. Choudhari, learned Counsel appearing for the Applicants and Ms. Yadav, learned APP for the Respondent-State.

2. The present Application is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (“**BNSS**”) seeking pre-arrest bail in connection with C.R. No.885 of 2025 registered with the Malegaon Taluka Police Station, District - Nashik (Rural) on 4th December 2025 for the offences punishable under Sections 118(1), 115, 352, 351(2) read with 3(5) of the *Bharatiya Nyaya Sanhita, 2023* (“**BNS**”).

3. The prosecution case is set out in paragraph No.5 of order dated 28th January 2026 passed by learned Additional Sessions

Judge, Malegaon District - Nashik in Criminal Bail Application No.1191 of 2026, which reads as under :-

“5. The informant is the injured. The incident took place on 1.12.2025 at about 5.00 p.m. The present applicant/accused No.1 was on his way and he was going from the middle of the road. The informant was on motor-cycle passing from the said road. The informant has blow horn since present applicant was in the middle of the road however the said accused has not given him side. On that count, it was discord in between them. Later present applicant and other accused No.2 and 3 Amrut Fangal and Mayur Fangal have came there and raised quarrel as to the encroachment of the land. The present applicant hit to informant by sharp weapn as Koyta used for cutting sugar cane. The informant sustained head injury and the blood was oozing. The accused No.2 and 3 by sticks have hit to informant on his head, neck, stomach an on leg. The accused No.2 and 3 issued life threats. The brother of informant has brought him at police station. Police sent him to hospital for treatment.”

4. It is the submission of Mr. Choudhari, learned Counsel appearing for the Applicant that it is the case of cross FIR. The Applicant is the owner of the land and the First Informant has encroached the land and, therefore, some dispute between the parties took place. He further submits that the First Informant in this case is Accused in C.R. No.898 of 2025 and this Court by order

dated 5th February 2026 has granted bail to the First Informant by passing order in Anticipatory Bail Application No.311 of 2026. He submits that there are no other antecedents.

5. On the other hand, Ms. Yadav, learned APP, strongly opposes the Anticipatory Bail Application. She submits that the injuries are grievous in nature. The sharp weapon i.e. *Koyta* is used in the crime.

6. Perusal of the records shows that this is a case of cross FIR. The Applicant has no other antecedent. There is some dispute with respect to agricultural land. As far as cross FIR being C.R. No.898 of 2025 is concerned this Court has already granted Anticipatory Bail to the First Informant by order dated 5th February 2026 passed in Anticipatory Bail Application No.311 of 2026. There are no other antecedents.

7. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant - Ajay Baburao

Fangal in connection with C.R. No.885 of 2025 registered with the Malegaon Taluka Police Station, District - Nashik (Rural), the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police Station 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.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]