



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO. 261 OF 2026

Shri Akshay s/o Premdas @ Prabhudas Abhyankar and others Vs State of Maharashtra

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. B.H. Tekam, counsel for applicants.
Mr. N.R.Rode, APP for non-applicant/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 22/04/2026.

1. Apprehending arrest in connection with FIR No. 26/2026 dated 09/03/2026 registered with Police Station Rahimpur, Amravati Rural, Amravati, for the offence punishable under Section 109(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicants have approached this Court for grant of anticipatory bail.

2. The informant, Gajanan Bhaurao Dokekar, has named three accused namely Akshay Premdas Abhyankar, Dhammaprakash Shantaram Lavhale and Dilip Pandhari Abhyankar (applicants).

3. As per the FIR, the informant owns an agricultural field. On 03/03/2026 at about 12 noon to 12.30 p.m, he went to his agricultural field and parked his vehicle. At that time, applicant Akshay and applicant - Dhammaprakash allegedly assaulted him, caused him to fall down and applicant -Akshay caught hold of his neck. It is further alleged that applicant -Dhammaprakash then

forcibly administered poison to him while saying that he should be killed. At that time, Dilip Abhyankar, the cousin uncle of the informant came and told the other accused that vehicle had arrived and asked them to flee away from the spot. Accordingly, all the three accused ran away from the spot.

4. The informant then went to the agricultural field of Gajanan Paddhamol and thereafter went to the house of one Gopal Nitnaware, who did not open the door though knocked. Subsequently, he went to the house of one Mohsin Khan Sujat Khan, informed him of his condition, and requested him to take him to the hospital. In the meanwhile, the informant became unconscious and when he became conscious he found himself in the Irwin Hospital. In this background, the criminal law was set in motion.

5. The learned counsel for the applicants has submitted that it is due to earlier dispute, the FIR was registered. According to the learned counsel for the applicants, one of the applicants by name Dilip Pandhari Abhyankar was not present on the spot.

6. On the contrary, the learned APP has submitted that the version advanced in the FIR is supported by the injury report in which it is categorically stated that mild to moderate quantity is present. He, thus, submitted that said medical examination was done on 04/03/2026, and the victim was required to be admitted in hospital from the

date of incident.

7. He further submitted that since the prima-facie case is made out by the investigating agency and the role assigned to the applicants is very specific, therefore, anticipatory bail application deserves to be rejected.

8. With the assistance of respective counsel, I have gone through the record of the case. So far as accused Akshay is concerned, it was categorically stated that he caught hold of the neck of the informant and the applicant Dhammaprakash administered poison to the informant forcefully. As far as the role of the accused Dilip is concerned, he only asked the other accused persons to run away from the spot. Except that, nothing has been said about him.

9. As regards the allegations against the other two accused, namely Akshay and Dhammaprakash, are concerned, those are very specific and the injury report also supports the case of the prosecution. In the statement of the injured/victim, namely Ranjit Devidas Rakashkar, recorded under Section 183 of the BNSS, he has categorically stated that Akshay caught hold of his neck and Dhammaprakash administered poison to him.

10. Since a prima facie case is made out against the applicants Akshay and Dhammaprakash, I am not inclined to grant anticipatory bail to them. So far as the applicant Dilip is concerned, his role is extremely limited and he has

not participated in the actual assault. It cannot be ignored that the applicant was admitted to the hospital on 04/03/2026 and was discharged on 11/03/2026. Hence, I pass the following order:-

ORDER

- a) The Criminal Application of the applicants namely **Akshay Premdas Abhyankar** and **Dhammaprakash Shantaram Lavhale**, is hereby rejected.
- b) In the event of arrest, in connection with FIR No. 26/2026 dated 09/03/2026 registered with Police Station Rahimpur, Amravati Rural, Amravati, for the offence punishable under Section 109(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant namely **Dilip Pandhari Abhyankar** shall be released on bail on furnishing a P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 25th and 26th of April 2026, between 10.00 a.m. to 12.00 p.m.
- d) The applicant shall not tamper with the prosecution evidence or influence the witnesses.

- e) The applicant shall not leave the India without prior permission of the Court.

(RAJNISH R. VYAS, J.)

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