



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

CRIMINAL APPLICATION (ABA) NO.266 OF 2026

Vishnupant s/o Ganpat Ingale and another Vs. State of Maharashtra

AND

CRIMINAL APPLICATION (ABA) NO.245 OF 2026

Ankush s/o Vishnupant Ingale and others Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri R.M. Daga, Advocate for applicants.

Shri N.R. Rode, AGP / APP for respondent/State in ABA 266/2026.

Shri C.A. Lokhande, AGP / APP for respondent/State in ABA 245/2026.

CORAM : RAJNISH R. VYAS, J.

DATE : 24.04.2026.

1. Apprehending arrest in connection with Crime No. 253/2026, registered with Police Station Barshitakli, Dist Akola, for the offences punishable under Sections 118(1), 118(2), 189(2), 190, 191(2), 191(3), 324(4) and 351(2) of Bharatiya Nyaya Sanhita, 2023, the applicants have approached this Court.

2. In ABA No.266/2026, the applicant/accused are Vishnupant Ingale and Digambar Ingale.

3. In ABA No.245/2026, applicants/accused are Ankush Ingale, Babarao Ingale, Vishal Ingale, Shubham Ingale and Akshay Ingale.

4. Reporter of the crime is one Suryabhan Ingale, on whose complaint Crime No.253/2026 dated 13.03.2026 was registered with Police Station Barshitakli, Dist Akola, for the offences punishable under Sections 118(1), 118(2), 189(2), 190, 191(2), 191(3), 324(4) and 351(2) of Bharatiya Nyaya Sanhita, 2023, in all against 10 persons.

5. In both these applications, total 7 persons have approached this Court. In short, it is the case of informant Suryabhan Ingale that he was having an agricultural field and he himself used to cultivate the same. On 07.03.2026, he along with one Subhadra Dhurve, labourer, were proceeding towards the agricultural field. The nephew of the informant by name Pravin and Shubhan, were driving a tractor and going towards the agricultural field. The informant and Subhadra were in bullock-cart. As the two tractors, went in a speed ahead of the bullock-cart, bullock-cart driven by the reporter landed in the agricultural field of Vishnu Ganpat Ingale/ accused no.1 in the First Information Report. At that time, quarrel took place. It is alleged in the first information report that the quarrel escalated in which accused – Vishnu, came with the axe and assaulted Baliram Ingale on his head. Applicant – Digambar/accused no.4 assaulted said Baliram by means of pipe on the back, leg and the hands. It was further alleged that due to assault on the head, Baliram sustained injuries and blood started oozing from the injuries sustained.

6. According to the first information report, Mayur/accused no.5, caught hold of Sachin and accused Vaibhav Ingale/accused no.3, by means of pipe, assaulted on his nose. So far as accused Ankush/accused no.2 is concerned, it was alleged that he had pushed Subhadra Dhurve so also assaulted her by means of slaps and blows and also bitten on left shoulder. Accused Sagar /accused no.8 had also bitten on the left shoulder of said Subhadra Dhurve. It was further alleged in the first information report that the informant party threatened to kill the members of accused party. It was further alleged that lights of tractor of Pravin Ingale and Shubham Ingale were broken.

7. As the informant party sustained injuries, injured persons were hospitalized. In this background, the first information report came to be registered.

8. The learned counsel for the applicants has contended that it is a case of free fight and even Ankush Ingale, who is named as accused no.2, in First Information Report No.253/2026, has lodged a complaint on the basis of which, Crime No.254/2026 was registered with Police Station Barshitakli, Dist Akola, for the offences punishable under Sections 189(2), 191(2),191(3), 190,118(1), 118(2) and 351(2) of Bharatiya Nyaya Sanhita, 2023. This First Information Report is registered in all against 12 persons i.e.the persons from the side of complainant party in Crime No.253/2026. He further contended that the even applicant

Ankush had sustained the grievous injuries. According to him, all the applicants in ABA No.245/2026 have attended the police station as directed by this Court on 02.04.2026 while granting an interim anticipatory bail. He thus prayed for allowing the application.

9. Per contra, the learned APP has contended that the accused party was armed with the dangerous weapon and if the injury certificate of Sachin Ingale is perused, it would reveal that he has sustained three injuries one of which is a fracture of nasal bone. He further submitted that as far as injured Baliram is concerned, he has sustained two injuries, one of which is a chopped injury 7 x 1 x 1 cm over parietal region of skull of head. He thus submitted that considering the role assigned to Vishnu, bail applications be rejected. He further submitted that so far as Subhadra Dhurve is concerned, the injury certificate shows that she has sustained multiple small contusions appearing to be of momentary and superficial contusion of bite marks. He thus prayed for rejection of application.

10. With the help of respective counsels, I have gone through the record of the case. Though there are counter FIRs, it cannot be ignored that the accused Vishnu was armed with the axe and by means of axe, he had assaulted the injured Baliram. The injury sustained by the Baliram shows that those have been sustained on the vital part of the body. It cannot be ignored that injury is grievous in nature.

The nature of weapon used, body part chosen and injury sustained, disentitles said Vishnu to claim the anticipatory bail. Accordingly, the bail application of said Vishnu is rejected.

11. So far as role assigned to applicant Digambar Ingale is concerned, suffice it to say that, though it has been stated that he was holding a pipe and had assaulted Digambar on his leg, back and both the hands, but the injury certificate of Baliram shows that apart from chop injuries, Baliram has sustained abrasion over index finger of left hand. Thus, even the role assigned to the Digambar, would reveal that his assault has not resulted into causing grievous injury.

12. As far as applicant – Ankush is concerned, the allegations against him are that he has bitten to Subhadra Dhurve. There are no specific roles assigned to applicants – Babarao and Vishal so also Shubham and Akshay. In that view of the discussion made above, though Section 190 of the BNS is invoked, considering the role assigned to the present applicants and the fact that all the applicants in ABA No.245/2026 have attended the police station and cooperated with investigating the agency, I am inclined to pass the following orders.

ORDER

(i) Criminal Anticipatory Bail Application of Vishnupant s/o Ganpat Ingale stands rejected.

(ii) So far as criminal applications of other applicants are concerned, they are allowed and disposed of.

(iii) In the event of arrest in connection with Crime No. 253/2026, registered with Police Station Barshitakli, Dist Akola, for the offences punishable under Sections 118(1), 118(2), 189(2), 190, 191(2), 191(3), 324(4) and 351(2) of Bharatiya Nyaya Sanhita, 2023, applicants namely – **Digambar S/o Ganpat Ingale, Ankush S/o Vishnupanth Ingle, Babarao Ganpath Ingle, Vishal Babarao Ingle, Shubham Sunil Ingale and Akshay S/o Sunil Ingle** shall be released on bail on furnishing a PR bond of ₹25,000/- [Rupees Twenty Five Thousand only] each with one solvent surety each in the like amount.

(iii) The applicants except Vishnupant Ingle shall attend the concerned Police Station twice a month i.e. second and fourth Sunday between 10:00 am to 12:00 noon, till filing of the charge-sheet.

(iv) The applicants shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(v) The applicants shall not leave India without prior permission of this Court.

(Rajnish R. Vyas, J.)

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