

MHBI010024572026



Cri. Bail Appln.No.807/2026
Rushikesh Baliram Nimbalkar
Vs.
State of Maharashtra

ORDER BELOW EXH.1

This is an application for anticipatory bail under Section 482 of the B.N.S.S. in connection with Crime No.341/2023 registered at Police Station Beed (Rural) Beed Tq. & Dist. Beed, for the offences punishable under Sections 307, 308, 436, 427, 506 read with Section 149 and under Section 143, 147, 148 of the Indian Penal Code.

02. On 31/10/2023 informant Bhimrao s/o Sahebrao Pakhre lodged the report with Rural Police Station, Beed. He alleged therein that on 30/10/2023 from 03-00 p.m. to closing time of the hotel Sunrise and Lodge he and other staff were on duty. At about 04-30 to 05-00 p.m. a mob of 150 to 200 persons came there raising slogans in favour of particular community and entered the hotel. The persons in the mob told him to close down the hotel. He said that there is staff and customers in the Hotel and Lodge and left them come out of the hotel. However the persons in the mob said that they want to burn hotel along with staff and customers and thereafter started burning the hotel by petrol bottles in their hands. Suddenly the hotel took fire. Persons in the mob further pelted stones and by sticks and iron rods damaged the hotel. They also set ablaze two motorcycles and one four wheeler in front of the hotel. In said fire ground floor of the Hotel was burnt. Likewise cash of Rupees Five Lakh Fifty Thousand in the counter and cash of Rupees Twenty Lakh in the personal locker of owner of the hotel was burnt. Thus in said incident of arson approximately damage of Rs. Four Crores was caused. Hence, the F.I.R.

03. Applicant has claimed bail on the grounds that, he is innocent and has not committed any crime as alleged. Other absconding accused are released on anticipatory bail by the Hon'ble High Court. The applicant is taking education. On the date of alleged incident, he was attending NEET Coaching Classes at Devadkar Coaching Classes in Beed. He was not a member of any unlawful assembly. He is resident of Kolgaon, Tq.Georai. He has been involved due to political pressure. Police under political pressure has implicated many innocent persons in this crime. There is no recovery alleged to be effected from the applicant. Charge-sheet has already been filed. He is ready to abide by the conditions that may be imposed. Therefore, he has prayed to grant anticipatory bail.

04. Prosecution has resisted the application by filing say at Exh.11. It is the say of the prosecution that there is strong prima facie case against the applicant. There is active participation of the applicant in commission of crime. If the applicant granted anticipatory bail, then it is likely that he will pressurize the informant and prosecution witnesses, interfere in the investigation and tamper the prosecution's evidence. Investigation is in progress. On these grounds, prosecution has prayed for rejection of the bail application.

05. Informant has resisted the application by filing say at Exh.12. He has reproduced the contents of the F.I.R. According to him, approximately 4 Crore loss has been sustained by the Hotel. There is to be investigation in respect of at the time of incident who were accompanied the applicant. Since year 2023 applicant is absconding and therefore, his presence could not be secure at the time of trial.

Applicant is of hooligan nature. Applicant is pressurizing him to withdraw the case. If the applicant granted anticipatory bail, then it is likely that he will pressurize the informant and prosecution witnesses, interfere in the investigation and tamper the prosecution's evidence. On these grounds, he has prayed for rejection of the bail application.

06. Heard learned advocate for the applicant/accused, learned APP for the State and learned advocate for the informant. They argued as per application and say as referred above. To avoid repetition, I find it would be just and proper not to reproduce the arguments of both the sides.

07. Considering the rival submissions of both sides, I find that, name of the applicant is not mentioned in the FIR. Obviously no specific role is attributed to the applicant/accused. Nothing incriminating material alleged to be seized from the applicant. Investigation is complete. Charge-sheet has been filed. No antecedents of the applicant is brought on record. The Hon'ble High Court of Bombay, Bench at Auragabad has been pleased to grant anticipatory bail to accused in same crime. Applicant is 22 years old. In the circumstances, I find that, the applicant is entitled to get anticipatory bail and pass following order.

ORDER

01. Application is allowed.

02. In the event of arrest of Applicant/accused **Rushikesh Baliram Nimbalkar** in Crime No.341/2023 registered at Police Station Beed (Rural) Beed Tq. & Dist. Beed, for the

offences punishable under Sections 307, 308, 436, 427, 506 read with Section 149 and under Section 143, 147, 148 of the Indian Penal Code, be released on executing P. R. Bond of Rs. 50,000/- (Rs. Fifty thousand only) and one surety of like amount, on the following terms and conditions.

- (a) Applicant shall attend concerned Police Station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (b) Applicant shall not directly or indirectly pressurize the informant and prosecution witnesses and tamper the prosecution evidence.
- (c) Applicant shall not indulge in any offence.
- (d) Applicant shall not leave the jurisdiction of the concerned Court without prior permission of the Court till further order.
- (e) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.

03. Inform the concerned police station accordingly.

(Dictated and pronounced in open Court.)

Date : 10/08/2026

(S.R.Shinde)
Additional Sessions Judge
Beed

:: CERTIFICATE ::

" I Affirm that the content of this PDF file are word to word as per original Judgment/Order "

Dictated on :- 10/08/2026

Transcribed on :- -----

Checked & Signed on :- 10/08/2026

(A.R.Patil)
Stenographer Gr-II
Additional Sessions Court,
Beed.