

MHAU160004682026



**Cri. Bail Application No.38/2026**

**Somnath Ratan Lohkare**

**Vs.**

**The State of Maharashtra**

**ORDER BELOW EXH.1**

Applicant - **Somnath Ratan Lohkare** has filed this application for grant of anticipatory bail U/sec.482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with C.R.No.I-152/2026 U/Sec.109, 189(2), 191(2), 191(3) 190 and 115(2) of Bharatiya Nyaya Sanhita, 2023 and under Sec.135 of the Maharashtra Police Act registered at **MIDC Waluj** Police Station, Tq. Gangapur, Dist. Chh. Sambhajinagar.

**[2] Prosecution case in short is as follows:-**

On 03.03.2026 Shahid Abdul Majid was proceeding to the house of his aunt at Kamlapur by motorcycle. On the way he saw some people were fighting at Hanuman Nagar. Therefore, he went there and saw that some people of Hindu community were quarreling with some people of Muslim community. Shahid had skull cap on his head, therefore, people of Hindu community recognized him to be of Muslim community. Therefore, some Hindu boys started giving him abuses. They also beat him. Accused – Dnyaneshwar Lohkare brought one Knife. At that time,

3-4 unknown boys caught hold Shahid and beat him. At that time, accused -Dnyaneshwar assaulted him by knife on his stomach, hand and other parts of the body. He sustained many injuries on his body. Thus, those 3-4 boys and accused – Dnyaneshwar attempted to kill Shahid.

[3] Thereafter, maternal uncle and father came to know about the incident. They went to the spot and took him to Ghati Hospital, Aurangabad, where the Doctors gave him medical treatment. Abdul Majid, father of injured – Shahid lodged FIR about the incident.

[4] On the basis of said FIR crime vide C.R.No.I- 152/2026 came to be registered. During the investigation it was revealed that the applicant is one of those 3-4 unknown accused boys. Therefore he has apprehension of his arrest in this crime. Hence, he has filed this application for grant of anticipatory bail.

[5] I have heard both the sides and perused the material placed on record.

[6] Ld. Advocate for the applicant submitted that as per the contents of the FIR the applicant only beat injured – Shahid by fist and kick blows. He has not assaulted injured Shahid by any deadly weapon. The I.O. has already seized weapon used in the crime. Therefore, nothing is to be recovered or discovered from the applicant. Hence, his custodial interrogation is not necessary.

There is no criminal antecedent against him. He is permanent resident of Kamlapur, Tq. Gangapur, Dist. Chh. Sambhajinagar. He is ready to abide all the terms and conditions which will be imposed by this court. On these grounds, he prayed for grant of bail.

[7] On the other hand, Ld.APP submitted that, nature of the offence is serious. FIR and statements of injured witness show that, in commission of the offence the applicant has played active role. He beat injured - Shahid by fist and kick blows. In these circumstances, if the applicant is released on bail possibility of absconding of the applicant and tampering with prosecution evidence cannot be ruled out. On these grounds, he prayed for rejection of the application.

[8] On perusal of the material placed on the record it appears that, at the time of incident the applicant was present on the spot and he allegedly to have been beat injured - Shahid by fist and kick blows. The I.O. has already seized weapon used in the crime. Therefore, nothing remained to be recovered or discovered from the applicant. Hence, custodial interrogation of the applicant appears not to be necessary. The applicant is permanent resident of Kamlapur, Tq. Gangapur, Dist. Chh. Sambhajinagar, having no criminal antecedent. His presence can be secured by imposing certain terms and conditions.

[9] Having regard to the above mentioned facts and circumstances, I am of the opinion that the applicant is entitled

for grant of anticipatory bail. In the result, the application deserves to be allowed. I, therefore, pass the following order:-

**ORDER**

[1] In the event of arrest of applicant - **Somnath Ratan Lohkare** in connection with C.R.No.I-152/2026 U/Sec.109, 189(2), 191(2), 191(3) 190 and 115(2) of Bharatiya Nyaya Sanhita, 2023 and under Sec.135 of the Maharashtra Police Act registered at **MIDC Waluj** Police Station, Tq. Gangapur, Dist. Chh. Sambhajinagar, he be released on his executing P.R.Bond of Rs.50,000/- (Rs. Fifty Thousand only) with surety of like amount on the following conditions that.:-

(a) the applicant shall remain present at **MIDC Waluj Police Station** on **every Sunday from 11.00 a.m. to 1.00 p.m.**, till next **60 days or filing of the charge-sheet, whichever is earlier.**

(b) the applicant shall not tamper with the prosecution evidence, in any manner and shall cooperate with the Investigating machinery as and when required.

(c) at the time of furnishing bail, the applicant shall produce on record proof of his permanent residence.

[2] Inform the concerned police station, accordingly.

Date : 20.03.2026

**(S.B. Bahalkar)**  
Additional Sessions Judge,  
Gangapur,  
Dist. Chh. Sambhajinagar