

**IN THE COURT OF ADDL.SESIONS JUDGE AT PAITHAN,
DISTRICT AURANGABAD**

MHAU170001772026



**Cri.Bail Application No. 41 of 2026
Santosh s/o Dnyandev Gavali & Anr.
Vs. The State of Maharashtra
Crime No. 55 of 2026, U/sec. 119 (1),
118 (1), 115 (2), 352, 351(2) R/w 3(5) of
BNS, MIDC Paithan police station,
Tq. Paithan, Dist. Aurangabad.**

ORDER BELOW EXH.01

01. This is an application under-section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail by applicants namely 1) Santosh s/o Dnyandev Gavali and 2) Shubham s/o Santosh Gavali.

02. The Investigating Officer has opposed the application by filing his reply vide Exh. 04. He has objected the application on the ground that the weapons axe, sickle and stick used in the offence are to be seized. It is his further contention that the applicant No.1 forcibly taken away cash amount from the pocket of shirt of informant and said amount is to be recovered. It is his further contention that the applicants have criminal antecedents and crime No. 77/2017 u/s.324,323,504,506 R/w 34 of IPC and crime No. 271/2024 u/s. 333,115(2),352,351(3) R/w 3(5) of BNS are registered against them at MIDC Paithan police station. The investigation is at preliminary stage. If applicants are granted anticipatory bail, there is every possibility of tampering with the prosecution witnesses and hampering of the investigation.

03. Heard the learned counsel for the applicants and learned APP for the State. Perused the application, say and case diary. There is allegation against applicants that applicant No. 1 Santosh @ Satish Gawali assaulted the informant and forcibly snatched an amount of Rs. 2,000/- from his pocket and both applicants assaulted Gopal Nanasaheb Nawale on his hand with an axe. Case diary shows that CCTV footage discloses that applicant No.1 was having sickle in his hand and he alongwith his son i.e. applicant No.2 rushed towards the house of informant. Looking to the allegations, CCTV footage and say of Investigating Officer, the custodial interrogation of applicants may be necessary for the purpose of recovery of cash amount and the weapon. Consequently, I am not inclined to grant anticipatory bail to the applicants particularly when the Investigating Officer has pointed out criminal antecedents of the applicants in his say. Hence, I proceed to pass following order.

ORDER

Application Exh.01 is hereby rejected.

Date : 18.03.2026

(R.D.Gadwe)
Additional Sessions Judge,
Paithan.