

CRIMINAL BAIL APPLICATION NO. 131/2026**(CNR NO. MHDH01-000588-2026)****Shahid Tulsiram Pawara****V/s.****The State****ORDER BELOW EXH.1**

Apprehending arrest in Crime No. 292/2025 registered with Shirpur Taluka police station for the offenses punishable under Sections 109, 118 (1), 118 (2), 115 (2), 352, 351 (2), 189 (2), 190, 191 (2), 191 (3), 333 of Bhartiya Nyaya Sanhita, 2023, applicant has preferred the present application U/s. 482 of Bhartiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail.

02. Applicant has sought protection from the arrest on the grounds that he is innocent and has been falsely implicated with ulterior motive. There is no iota of evidence against him. In spite of medico legal case, FIR is not lodged immediately. In fact accused had lodged Crime No. 293/2025 against the informant and others and hence to counter the said case, this false case is lodged against the applicants. Allegations against the applicant are vague and general in nature. Nothing is to be seized from the applicant. There is unexplained delay in lodging the FIR. Informant is discharged from the hospital. Applicant is ready to abide by all the terms and conditions that



will be imposed by the Court. Thus, prayed for grant of application.

03. Investigation officer filed reply through prosecution at Exh. 4, and opposed the application on the ground that the offense is serious in nature. Absconding accused are yet to be arrested. If the applicant is granted pre-arrest bail, possibility of again committing serious crime cannot be ruled out. The applicant will pressurize the informant and witnesses. She will have no fear of law. Thus, prayed for rejection of the application.

04. Original informant appeared and filed reply at Exh. 14. The application is resisted on the ground that the applicant assaulted the informant by means of wooden log and the same is not yet seized. The applicant use to create terror in the village. He is hardened criminal. Thus, prayed for rejection of application.

05. Prosecution case is that informant Bhikla Ganpat Pawara lodged report in Shirpur Taluka Police Station. According to him, on 24/11/2025 at about 9:00 pm while he along with his sons and daughter-in-law were at home in his field, all the accused along with applicant arrived there and with intention to kill, assaulted him with iron rod, stick in their hands and threatened to kill them.

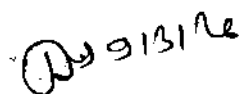
06. Heard learned advocate Mr. B. B. Waghmare for accused, and learned APP Mr. N. B. Kalal. I have gone through the copy of FIR and other documents filed on record.

07. The alleged offense occurred on 24/11/2025. The role attributed to the applicant is that he along with other accused assaulted the informant by means of wooden log and other weapons. Therefore, it has to be seen whether custodial interrogation of the applicant is necessary for further investigation. Since inception the applicant is absconding. Considering the nature of allegations made against him, for the recovery of the wooden log, custodial interrogation of the applicant is required though charge-sheet is filed in the Court. In view of the observation in **Lavesh V/s. State (NCT Delhi) (2012) 8 SCC 730** the relief of pre-arrest bail cannot be granted to absconded accused. Thus, the applicant is not entitled for pre-arrest bail. Hence, the order.

ORDER

Application is rejected.

Dhule
Date : 09/03/2026


(Jayshri R. Pulate)
Additional Sessions Judge, Dhule.