

MHND010013642026



IN THE COURT OF SESSIONS, AT NANDED DIST. NANDED.

ANTICIPATORY BAIL APPLICATION NO. 486 OF 2026

IN

(CR NO. 131/2026 of Hadgaon Police Station)

Tiresha Yadav Bhosle

Age : 50 years Occu: Labour work

R/o. Niwgha (Bazar) Tq. Hadgaon

Dist. Nanded. At present at Dagadwadi

Tq. Hadgaon, Dist. Nanded.

...Applicant

V/s.

The State of Maharashtra

(At the instance of Hadgaon Police
Station)

....Respondent

-:Appearance :-

Ld. Advocate Mr. B.M Kumbhekar for the applicant.

Ld. APP Mr. Y.S. Talegaonkar for State.

CORAM : ADDL. SESSIONS JUDGE-1, NANDED

SHRI. T.T. AGLAWE,

:- ORDER :-

(Date : 19.06.2026)

Apprehending his arrest in Crime No. 131 of 2026, registered with Hadgaon Police Station, for the offences under Section 103(1), 109, 189(2), 191(2), 191(3), 190 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS'), the applicant has filed present application for pre-arrest bail.

2. Perused application and reply of Investigating Officer below Exh. 06.

3. Heard Learned advocate for the applicant and learned Addl. PP for the State.

4. The case of prosecution is that incident occurred on 29-04-2026 at about 8.20 pm near Walki Phata. The applicant and co-accused quarreled with victim Siddheshwar. The applicant and co-accused in furtherance of their common intention, hit axe on the head of the victim whereby he sustained grievous head injury. Later on, the victim died in the hospital.

5. The Ld. Advocate for the applicant submits that there is no evidence against the present applicant. FIR is lodged on the basis of suspicion. In fact, present applicant has lodged FIR against the group of persons who assaulted him. The weapon used in the alleged offence has been seized from the co-accused. As the applicant does not have any role, he needs to be protected from arrest.

6. On the other hand, the Ld. APP and I.O have argued that the quarrel took place on account of dispute relating consumption of liquor. The investigation is at initial state. The CCTV footage lead investigation up to the accused. Accused Nos. 2 to 5 are arrested whereas the present applicant is absconded himself and has not co-operated the investigation.

7. Perused record and case diary. FIR was registered for offences principally u/s. 109 of BNS. As the victim has died, section 103(1) of BNS is invoked. Co-accused Nos. 2 to 5 are arrested during investigation. Weapon used in the offence is seized from them.

8. Ld. Advocate for the applicant has relied on **Kamalabai Surendrea Jaiswal Vs. The State of Maharashtra, 2002 ALL MR (Cri) 776**. In that case the Hon'ble High Court granted Anticipatory bail to the applicant for the offence u/s. 302 r/w/s 34 of the I.P.C observing that *"there was no material on record to connect the applicant in the crime in question"*.

9. In the present case, initial investigation is guided by the CCTV footage from the camera available near the spot of incident. On that basis, accused Nos.2 to 5 are arrested and weapon used in the offence is seized from them. The investigation so far prima facie connect the present applicant also with the alleged offence. The applicant is absconding since the date of incident. Offence is serious one. Arrest and custodial interrogation of the applicant may be necessary for detailed investigation. In view of distinguishing facts, the authority relied upon by the Ld. Advocate for the applicant is not helpful to the applicant. Hence, following order :-

ORDER

Application is rejected.

Date : 19.06.2026

(T.T. Aglawe)
Addl. Sessions Judge,
Nanded.

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CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of stenographer	Y.S. Kausadikar, Grade-1
Name of Court	Addl. Sessions Court-1, Nanded
Date of Dictation	19.06.2026
Order signed by the PO on	19.06.2026
Order uploaded on	19.06.2026

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