

MHOS050003382026	Cri Bail NO.65/2026
	Jayshankar / State

ORDER BELOW EXH.1

1. Applicant/accused filed application for anticipatory bail in Cr.No.332/2026 of Omerga police station under Section 115(2),118(2), 118(1), 351(2), 351(3), 352, 3(5) of BNS on the ground that they are falsely implicated in this matter.
2. Learned APP and IO has filed say at Exh.4 objecting to release applicant/accused on anticipatory bail.
3. I heard learned advocate of applicant/accused. He submits that applicant/accused no.1-Jayshankar filed report bearing Cr. No.327/2026 in Omerga police station against Ram Saida Gaikwad and Usha Gaikwad. This report is filed on 22/5/2026. Therefore to take revenge of it, Ram Gaikwad has filed report against these applicant/accused bearing Cr. No.332/2026 in Omerga police station dated 23/5/2026. He submits that informant Ram Gaikwad has not sustained grievous injury as defined under Section 116(2) of BNS. Most of the investigation is completed. Hence applicant/accused be released on anticipatory bail.
4. I heard learned APP. He submits that alleged offences are serious in nature. Investigation is not completed. Therefore application be rejected.
5. Following points for determination, findings thereon with reasons are given as under.

Sr.No.	Points.	Findings
1.	Whether applicant/accused nos.1 to 3 are entitled to anticipatory bail ?	...Yes.

2.	What order ?	.. Application is allowed.

REASONS.

AS TO POINT NOS.1 AND 2 :-

6. Alongwith application, FIR no.332/2026 of Omerga police station shows that informant Ram Gaikwad has filed report against applicant/accused nos. 1 to 3 stating in report that he works as social worker. On 12/4/2026 Pomulal Pandu Gaikwad and Vyankat Kamble had been to his office. They made complaint against applicant/accused no.1 that he is harassing to the daughter of Pomulal Gaikwad. Even he has brake down engagement of his daughter with the other boy. Therefore informant Ram Gaikwad made him understand not to harass to the daughter of Pomulal Gaikwad.

7. On 22/5/2026 applicant/accused no.1 went to the office of informant at 6:30 pm. He told informant not to interfere in his matter. He gave abuses. He has picked up iron rod lying in his office and assaulted with it on the head of informant. Informant saved blow by his left hand. He sustained iron rod blow on his left wrist. He sustained fracture on his left wrist. His wife intervened to rescue informant. Applicant/accused no.1 pushed his wife and caused her to fall down.

8. At that time, applicant/accused nos. 2 and 3 came to the spot. They gave abuses. They have beaten informant by giving blows and chapple. They gave threat to informant not to intervene in their matter henceforth, otherwise, they will not leave him alive.

9. Informant has given report of the incident on 23/5/2026. On his report, offence under section 115(2), 118(2), 118(1), 351(2), 351(3), 352, 3(5) of BNS is registered against applicant/accused nos. 1 to 3.

10. FIR no.327/2026 Omerga police station shows that

applicant/accused no.1 gave report on 22/5/2026. He stated in report that incident happened on 22/5/2026 at 6:00 pm. At that time, he went to the informant's office to meet his sister Panchshila. But his sister was not present in the office. He learnt that his sister went home. Therefore he started to go to his house. Meanwhile when he reached to the spot situated in front of the court, Ram Gaikwad called him. He told him to give his adhar card, pan card for the issuance of बांधकाम मजुराचे कार्ड. Applicant/accused no.1 told him he do not have adhar card and pan card. Ram Gaikwad told him that he is not giving adhar card and pan card. By stating so, he assaulted applicant/accused no.1 with the iron rod on his leg, shoulder and caused contusion injury. He caught his neck and dragged him up to his office. Thereat his wife Usha Gaikwad caught his hand and gave slap blow to him. She abused him, beaten him by kick, fist blows and gave threat to his life.

11. These two FIR shows that applicant/accused no.1 initially gave report against the informant. Thereafter informant gave report against applicant/accused.

12. Say of IO and learned APP shows that investigation of Cr. No.332/2026 is completed to the extent of preparation of spot panchanama, recovery of iron rod. They opposed to grant anticipatory bail on the ground that if applicant/accused are released on anticipatory bail then they would again commit crime, they will tamper with the evidence, pressurize informant, witnesses.

13. Say of IO , learned App shows that recovery of iron rod is made. Spot panchanama is prepared. Ground refusing to grant bail does not shows that custody of applicant/accused is required for investigation. FIR 327/2026 shows initially steps taken by applicant/accused no.1. Thereafter, FIR no.332/2026 is given. Considering stage of investigation, alleged offence, FIR no.327/2026, applicant/accused are entitled for anticipatory bail. Accordingly, I answer point no.1 in affirmative and to point no.2, pass

following order.

ORDER

1.	Applicant/accused no.1-Jayshankar @ Viki Dhondiram Kamble, applicant/accused no.2-Sangharsh Somling Kamble, applicant/accused no.3-Panchashila Somling Kamble, in the event of their arrest in Cr. No.332/2026 registered in Omerga police station under Section 115(2),118(2), 118(1), 351(2), 351(3), 352, 3(5) of BNS be released on personal bond and surety bond of Rs.50,000/- each.
2.	Applicant/accused should not quarrel with the informant.
3.	Applicant/accused should not tamper with the evidence.
4.	Applicant/accused should not pressurize informant and witnesses.
5.	Applicant/accused to co-operate I.O. for investigation.
	Delivered and pronounced in open court.

Date. 17.06.2026

(Smt.K.F.M.Khan)
Addl.Sessions Judge Omerga.

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CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment are same, word to word, as per the original Judgment.

As per order of Hon'ble High Court in Letter No.RG/1611/67/2026, dated 4th April 2026, District Court Osmanabad O.No.W/4650/2026 , dated 4/4/2026, all the judgments and orders, in all the matters wherein dictation is given, copy of judgment and order should bear endorsement as under-

Name of the stenographer	Narhari Haripant Deshmukh, Stenographer Grade 1
Name of Court	Additional Sessions Court Omerga.
Judgment/order dictation given by PO	17.06.2026
Judgment/order typed by stenographer	17.06.2026
Judgment /order given by stenographer to PO for correction	17.06.2026
Judgment/order corrected copy given by PO to stenographer	17.06.2026
Final print of judgment/order given by stenographer to PO for signature	17.06.2026
Date of uploading	17.06.2026
Holiday	-