

MHST010010442026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SATARA
Criminal Bail Application No.250 of 2026

Sanjay Narayan Pawar & Ors. ..Applicant

V/s.

State of Maharashtra ..Respondent

Mr. S.H. Panhale, Advocate for applicants.
Smt. A.S. Nimbalkar, Addl. P.P. for the
respondent

Coram: Mr. S. R. Tamboli,
The Addl. Sessions Judge, Satara,

:: ORDER BELOW EXH.1 ::

1. Application is withdrawn against applicant No.1.
2. In the present application, the applicants have sought anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita.
3. In short, the case of the prosecution, as per the FIR, is that Anand Ashok Gore, the informant, runs a cloth shop near Mahadeo Temple, Koregaon. Aatish Pawar, Sanjay Pawar, Ajit Pawar, Sharda Pawar, and Archana Pawar reside behind his shop. On 30/05/2026 at about 09:15 a.m., Ajit Pawar told him to pay him a monthly amount as the informant's shop was running better in comparison to his shop. When the informant refused, Aatish gave a blow with an iron rod on his nose. When he fell to the ground, Sanjay gave a blow with an iron weapon on his head. Ajit

Pawar assaulted him with a stick on his back, right hand, and palm. Archana struck him with a cement brick on his back, and Sharda beat him with fist and kick blows. Shubham Pawar and Prashant Pawar came there and separated the quarrel.

4. In the backdrop of these facts, Mr. S.H. Panhale, learned counsel for the applicants, submitted that prior to the FIR lodged by the informant, Applicant No. 5 had filed a complaint bearing C.R. No. 193/2026 in respect of the same incident. As per the said complaint, on 29/05/2026 at about 09:00 p.m., Omkar Jadhav and Vikram Gore abused her and threatened to kill Aatish. At about 10:00 p.m., Anand Gore, Vikrant Gore, and Shubham Pawar were sitting on a bench. Omkar Jadhav came there, and at that time they abused her and her son. Anand, Vikrant, and Vinod pelted stones at her house. On 30/05/2026 at about 09:00 p.m., Anand, Vikrant, and Shubham forcibly entered her house and assaulted her son. Anand slapped her. At that time, a scuffle took place between them. Anand and Aatish fell to the ground. Vikrant assaulted her son with a stick. Vinod and Shubham assaulted her son with their hands. In order to give a counterblast to the said complaint, the applicants have been falsely implicated in the present case. Hence, he prayed for grant of anticipatory bail to the applicants.

5. Per contra, Smt. A. S. Nimbalkar, learned Addl. PP for the State, submitted that there is prima-facie case against the applicants. Offence is serious. The informant had sustained injury. The investigation is at primary stage. If the anticipatory bail is granted, the investigation will be hampered. The custodial interrogation of the applicants is necessary. Hence, she prayed to reject the application.

6. Mr. S.S.Duduskar, learned counsel for the informant filed say at Exh.12 and reiterated the contents of the FIR. He contended that the offence is serious. The injured is still not recovered. Applicants have criminal antecedents. This fact is suppressed from the Court. In case of the grant of the anticipatory bail, applicants may destroy the evidence. Hence, he prayed to dismiss the application.

7. Prosecution has not produced the injury certificate. The photograph of the informant is produced along with his discharge card. It shows that there was a fracture to the nasal bone. However, no other serious injury found on the person of the informant. As per the recitals of the FIR applicant No.2 to 5 assaulted by iron weapon, stick and cement bricks on the person of the informant. However, the discharge card does not show corresponding injuries. The informant seems to be discharged from the hospital. There is no question of escalation of the offence. Had the applicants intended to kill the informant, they would have assaulted the informant by sharp edged weapon. Hence, there is no prima-facie case for the offence under section 109 of the BNS against the applicant Nos.2 to 5.

8. Applicant No.1 has been arrested who had alleged to be assaulted the informant on his nose. Rest of the offences alleged against the applicant Nos.2 to 5 are not punishable with a sentence more than seven years. The muddemal is already recovered. Nothing is to be recovered from the applicants. The counter complaint is filed against the informant. In the backdrop of the counter claim the exaggeration of the incident in order to increase the gravity of the offence cannot be ruled out. The

investigation can be completed even without arrest of the applicants. There is no justification for the arrest of the applicants. They are permanent residence. It is less likely that they will abscond. The apprehension of tampering with evidence can be addressed by imposing stringent conditions. Hence, I am inclined to grant anticipatory bail to the applicants. As a result, I pass the following order:

ORDER

1. The application is partly allowed as per section 482 of the Bharatiya Nagarik Suraksha Sanhita.
2. In the event of arrest, the applicant No.2 Sanjay Narayan Pawar, No.3 Ajit Rajendra Pawar, No.4 Sharda Rajendra Pawar, No.5 Archana Sanjay Pawar, shall be released on bail in connection with Koregaon Police Station C.R. No.195/2026, on furnishing a P.R. bond and one or more sureties in the sum of Rs.50,000/-each, subject to the following conditions:
 - (a) The applicant Nos.2 to 5 shall not directly or indirectly pressurize the witnesses and shall not tamper with the prosecution evidence.
 - (b) The applicant Nos.2 to 5 shall attend the concerned Police Station as and when called by the Investigating Officer.
 - (c) The applicant Nos.2 to 5 and their sureties shall furnish their addresses and mobile numbers and shall not change their residence without prior intimation to the Investigating Officer.
3. Issue intimation to the concerned Police Station.

Date- 17/07/2026

(S.R.Tamboli)
Addl. Sessions Judge, Satara