

In the Court of Additional Sessions Judge, Wardha.

Criminal Bail Application No.46/2026
(CNR: MHWR010002282026)

Harshal Rajendra Raut

.. Applicant

..V/s..

State of Maharashtra,
Through P.S.O., Police Station, Ashti,
Tah.Ashti, Dist.Wardha.

.. Non-applicant

Order below Exh.1

(Passed on 11th March, 2026)

The applicant has filed the present application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.18/2026 for the offences punishable under Sections 115(2), 118(1), 118(2), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Ashti.

2] It is the case of the prosecution that on 09.01.2026, when the informant was attending customers at his hotel, the applicant along with co-accused entered into the hotel and pressurized the informant to allow them to consume liquor in his hotel. When the informant rejected the request, the applicant and the co-accused picked up a quarrel with him. It is alleged that the present applicant picked up a stick lying near the furnace of the hotel and inflicted a blow on the hand of the informant. The co-accused No.1, Sunil Raut, assaulted the informant with an iron pipe and inflicted a blow on the backside of his head, causing bleeding

injuries. Accused Vinod Raut also assaulted the informant by kicks and fists on his chest and back, used filthy language, and threatened him. The report was lodged. The co-accused Anil Raut and Vinod Raut were arrested and weapons were seized from them. Statements of witnesses were recorded. The present applicant is before the Court seeking anticipatory bail.

3] According to the applicant, the offence is registered against him on the basis of baseless allegations. In fact, on the day of the incident, the applicant had been to the hotel of the informant for snacks. He paid ₹20/- in cash and thereafter additional amount of ₹15/- was demanded which was also paid. Thereafter, a ₹100/- currency note was given. At that time, the informant came there and himself abused and manhandled the applicant. It is further contended that the applicant was assaulted with a stick. A report was then lodged by the applicant and an offence was registered against the informant and his son for the offences punishable under Sections 118(1), 324(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 vide Crime No.21/2026 at Police Station Ashti. It is further contended that the applicant sustained injuries on his head and shoulder and a fracture was also detected. Thus it is alleged, therefore, the story given by the informant is false and baseless. It is also contended that nothing is required to be recovered from the applicant and therefore he entitle for anticipatory bail.

4] The application is opposed by the Investigating Officer by filing a say at Exh.5 on the ground that the applicant along with his associates committed the offence and that the investigation is still in progress. It is further contended that as the applicant and the informant are residents

of adjoining villages, the possibility cannot be ruled out that the applicant may influence the witnesses. Moreover, the applicant is a resident of another district and therefore he may not attend the Court proceedings.

5] I have heard the learned Advocate for the applicant and the learned A.P.P for the State. I have perused the case diary and the reply filed by the Investigating Officer. It appears from the F.I.R. that the quarrel arose due to the refusal of the informant to allow consumption of liquor in his hotel. It is alleged that the applicant along with the co-accused assaulted the informant. The only allegation levelled against the present applicant is that he picked up a stick lying near the furnace of the hotel and inflicted a blow on the left hand of the informant. However, the case diary shows that the informant Murlidhar Bobade sustained a lacerated wound and abrasion on his scalp and a fracture of the left wrist, while his son Kunal sustained abrasions on his left elbow and left thumb.

6] It further appears from the record that the applicant was also assaulted by the informant and that an offence was registered against the informant and his son on the basis of the report lodged by the present applicant. A copy of the F.I.R. lodged by the applicant has also been filed on record, in pursuance of which an offence punishable under Sections 115(2), 118(1), 351(3), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 came to be registered against the informant and his son. Thus, it appears that it is a matter of interse quarrel in which both the parties are involved.

7] As regards the necessity of custodial interrogation, it appears that

the stick allegedly used in the commission of the offence has already been seized. The co-accused have already been released on bail. The case diary further shows that substantial investigation has already been completed. The only objection raised by the Investigating Officer is that the applicant and the informant are residents of adjoining villages and that the applicant is a resident of another district. Certainly, this ground alone cannot be a reason for rejection of bail, particularly when the incident appears to have occurred on the spur of the moment and not in a premeditated manner. No useful purpose would therefore be served by arresting the applicant. Hence, I proceed to pass the following order.

Order

- (i) The Criminal Bail Application (Exh.1) is allowed.
- (ii) In the event of arrest, the applicant Harshal Rajendra Raut shall be released on anticipatory bail on executing a personal bond of ₹25,000/- (Rupees Twenty-Five Thousand only) with one solvent surety of like amount in Crime No.18/2026 for the offences punishable under Sections 115(2), 118(1), 118(2), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Ashti.
- (iii) The applicant shall appear before the Investigating Officer as and when required or until the filing of the charge-sheet, whichever is earlier.
- (iv) The applicant shall not threaten, influence, or pressurize the prosecution witnesses in any manner.
- (v) The applicant shall cooperate with the Investigating Officer during the course of investigation.

(vi) The applicant shall deposit his passport, if any, with the Investigating Officer and shall not leave India without prior permission of this Court.

(vii) If any condition is breached by the applicant, the prosecution is at liberty to file an application for cancellation of bail.

(viii) The case diary be returned to the Investigating Officer.

(ix) Inform the concerned Police Station accordingly.

Date: 11/03/2026

(S.A.S.M. Ali)
Additional Sessions Judge,
Wardha.

CERTIFICATE

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

(Madhav A. Chaudhari)
Stenographer