



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

903 ANTICIPATORY BAIL APPLICATION NO. 925 OF 2026

1. Avinash Somanath Ghalme
2. Vishal Ashru GhalmeApplicants

VERSUS

The State of Maharashtra & anotherRespondents

Mr. A. S. More, Advocate for Applicants
Mr. G. O. Wattamwar, APP for the State.
Mr. Sohail Subhedar, Advocate for the Informant.

CORAM : R. M. JOSHI, J.
DATE : 12th JUNE, 2026.

PER COURT :

1. Heard.
2. Learned Counsel for the Applicants submits that though the Applicants are named in the First Information Report, this is a case of over implication / exaggeration. It is his submission that if it is a case of the informant and the prosecution that about 14 persons assaulted the deceased, Post Mortem notes do not indicate any injury caused to the deceased. Insofar as the act of commission of suicide

by the deceased is concerned, it is his submission that in the absence of any evidence prima facie showing their intention to drive the deceased to commit suicide, the liberty of the Applicants deserves to be protected. He claims that there are no criminal antecedents against the Applicants.

3. Learned APP and learned Counsel for the Informant opposed grant of any interim protection to the Applicants for the reason that there are specific allegations against one of the Applicants that he called the father of the deceased on 02.05.2026 at about 7.45 pm and threatened him. To support this submission, reliance is placed on the photocopy of the data provided by the mobile company indicating that he had a missed call at 7.39 pm on 02.05.2026. IT is further contended that if the Applicant had no concern with the incident in question, question of he calling the father of the deceased would not have arisen. Learned APP further submits that there are statements recorded of the witnesses who specifically state about present Applicants and 12 other accused assaulting the deceased. It is sought to be contended that the deceased was paraded in the city and because of said humiliation, he committed suicide. Reference is

made to CCTV footage wherein at one spot deceased was seen along with Applicants and other accused.

4. Prima facie perusal of the record shows that there is missed call from Applicant No. 2 to the father of the deceased. However, at this stage, there is no material to show that any conversation had taken place between them. The CCTV footage shown to this Court also prima facie does not support case of assault on the deceased. In the light of these facts, the contention of learned Counsel for Applicants about over implication needs to be considered.

5. As far as the the allegation with regard to 14 persons assaulting the deceased is concerned, the Post Mortem notes do not indicate any injury caused by assault. This Court, therefore, finds prima facie substance in the contention of learned Counsel for the Applicants that this could be a case of exaggeration. Though it is argued on behalf of the prosecution that there was telephonic contact by Applicant No. 2, till date CDR is not received. Contention of the prosecution would be considered after the evidence is placed before this Court in the form of CDR. At this stage, the evidence collected

till date may not be sufficient to reject the request of protection of liberty of the Applicants.

6. Since this is a case wherein unfortunately deceased had committed suicide, there must be some evidence to show abetment on part of Applicants to drive him to commit suicide. Apparently, such material is not seen. Prima facie, this Court finds substance in the contention of learned Counsel for the Applicants that it could be case of over implication. Applications have no criminal history. They are not likely to flee from justice. In the circumstances, following order is passed :-

ORDER

(i) Till next date, in the event of arrest of applicants Avinash Somnath Ghalme and Vishal Ashru Ghalme, in connection with Crime No. 0183/2026, registered with Karjat Police Station, District Ahilyanagar, for the offences punishable under Sections 108 read with Section 3(5) of Bharatiya Nyaya Sanhita, they be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one surety in the like amount.

(ii) They shall attend the concerned police station on written instructions from the concerned Investigating Officer.

(iii) They shall not contact the witnesses directly or indirectly.

(iv) They shall not interfere with the evidence in any manner whatsoever.

(v) They are further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

6. Issue notice to the Respondents returnable on 29.06.2026. Learned APP waives service of notice on behalf of both the Respondents.

(R. M. JOSHI, J.)

dyb