



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

915 ANTICIPATORY BAIL APPLICATION NO. 941 OF 2026

PRATAP CHANDRSHEN PAWAR

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. M. L. Dharashive, Advocate for Applicant

Mr. M. A. Aher, APP for the Respondent/State

CORAM : R. M. JOSHI, J.

DATED : 11<sup>th</sup> JUNE, 2026

P C. :-

1. This application is for pre-arrest bail in connection with Crime No. 0014/2021, registered with Ahmedpur Police Station, District Latur, for the offences punishable under Sections 302, 323, 17, 148, 149, 504 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. In short, it is the case of the prosecution that, as per the First Information Report, an incident occurred on 08.01.2021, in which the informant and the driver of the truck were assaulted by unknown persons. In the said incident, the driver, Gulshan Kumar Rajpur, sustained serious injuries and succumbed thereto. On the basis of the said First Information Report, an offence came to be registered against the present applicant and four other co-accused.

3. Learned Advocate for the applicant submits that the co-accused



have been acquitted by the Trial Court after entire trial being conducted against them. It is his submission that, in view of the same, the applicant is entitled to pre-arrest bail. He further submits that the applicant is employed and has the responsibility of maintaining his parents.

4. Learned APP opposed the application by pointing out the observations made by the learned Addl. Sessions Court while rejecting the anticipatory bail application. It is his submission that the applicant has been absconding for over four years and, as such, is not entitled to pre-arrest bail.

5. Though it is sought to be argued by the learned Advocate for the applicant that the applicant was not named as an accused during the trial, no material has been placed before this Court to substantiate the said contention. On the other hand, the learned Additional Sessions Court has recorded a finding to the effect that the applicant was absconding. Merely because the name of the applicant does not appear in the First Information Report, it cannot be presumed that he is not involved in the crime. Since the offence is serious in nature and as there is no investigation carried out qua present applicant, this is not a fit case, wherein the liberty of the applicant deserves to be protected. Hence, the application stands dismissed.

**( R. M. JOSHI, J.)**

ssp