IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1877 OF 2026

Nitin Eknath Jadhav And Another
VERSUS
The State Of Maharashtra And Another

Mr. P. P. More, Advocate for applicants
Mr. S. P. Joshi, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 16th OCTOBER, 2026

PER COURT :-

1. Applicants seeks pre-arrest bail in connection with Crime No. 0478 of 2026 registered with Bhokardan Police Station, Dist. Jalna, for the offences punishable under Sections 103(1), 115(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First Information Report indicates that an incident had occurred on 25.08.2026 in which deceased was assaulted by co-accused Gajanan and other persons. It is case of prosecution that present applicants were also involved in the assault caused on the deceased.

3. Learned Counsel for applicants submits that there are no allegations against applicants specifically in the First Information Report as they are not named therein. It is his further submission that though co-accused Gajanan, who said to have assaulted, is already enlarged on bail by trial Court. It is his further submission that there is no any evidence

to connect applicants with the crime in question. He, therefore, seeks protection of liberty of applicants.

4. Learned APP opposed grant of any protection to the applicants by referring to the First Information Report as well as PM notes, which according to him, indicates that as many as nine injuries were caused on person of deceased. He drew attention of the Court to the statement of eye witness who named the present applicants to be persons present along with co-accused at the time of occurrence of incident. It is his submission that having regard to the serious nature of the crime, applicants are not entitled for any relief.

5. Perusal of the investigation papers indicates that one witness has seen occurrence of the incident. Said statement however does not show any assault being caused by the present applicants on the deceased. No doubt, there is evidence on record in the form of PM notes indicating causing of as many as nine injuries on the person of deceased. There is lack material to show as the present applicants are author of the said assault and injuries. Apart from this, it is pertinent to note from the PM notes that opinion as to the cause probable cause of death is as follows :-

> *"Hypoglycemic shock and septic shock with liver cirrhosis in diagnosed case of Alcoholic liver disease. However viscera preserved. Final opinion reserved."*

6. Considering the above opinion and also in view of the fact

that in fact accused who is said to have caused assault on the deceased is already enlarged on bail, this Court finds no reason/justification to reject application. Hence, application stands allowed.

7. Considering requirement of the investigation, if any, applicants are directed to appear before Investigating Officer on 22.10.2026 and 27.10.2026 between 11:00 AM to 01:00 PM and thereafter as and when called by Investigating Officer by written intimation.

ORDER

(i) Application is allowed.

(ii) In the event of arrest of applicants in connection with Crime No. 0478 of 2026 registered with Bhokardan Police Station, Dist. Jalna, for the offences punishable under Sections 103(1), 115(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one solvent surety in the like amount.

(iii) They shall attend the concerned police station on 22.10.2026 and 27.10.2026 between 11:00 AM to 01:00 PM and thereafter as and when called by Investigating Officer by written intimation.

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

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

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

(R. M. JOSHI, J.)

B. S. Joshi