



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 560 OF 2024

NILESH SURESH JADHAV AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Rajendra G. Hange a/w Mr. Anirudh R. Hange, Advocate for
Applicant
Mr. S.P. Sonpawale, APP for Respondents/State

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 446 OF 2024**

NIKHIL NAGNATH SAPKAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sudheer R. Zambare, Advocate for Applicant
Mr. S.P. Sonpawale, APP for Respondents/State

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1775 OF 2023**

SUBHASH CHANDRAKANT JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sushant B. Choudhari, Advocate for Applicant
Mr. S.P. Sonpawale, APP for Respondents/State

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2034 OF 2023**

MANIRAM MAHADEO GAIKWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sushant B. Choudhari, Advocate for Applicant
Mr. S.P. Sonpawale, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 22nd APRIL, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.327/2023, registered with Shivaji Nagar Police Station, Dist. Beed, for offence punishable under Sections 307, 326, 324, 323, 143, 147, 148, 149, 160, 504, 506 of the Indian Penal Code, Sections 3/25, 4/25 of the Arms Act and Section 135 of the Maharashtra Police Act.
2. Amol Ganesh Gurle, Police Sub-Inspector, Shivajinagar Police Station, Dist. Beed, lodged the FIR alleging that on 16/06/2023 at about 12:25 Hours, there was free fight between the groups of Asaram Gaikwad and Subhash Jadhav, for unknown reason, at Kalikanagar, Beed. Persons in both the groups used country made pistol, sword, sticks and iron rods and attacked on each other.
3. Heard learned advocates for applicants and learned APP for respondents/State. Perused the investigation papers.
4. During investigation it is revealed that there was free fight between groups of Asaram Gaikwad and Subhash Jadhav. Both the groups have lodged FIR against each other, registered at C.R. Nos.327/2023 329/2023 and 336/2023, with Shivajinagar Police Station, Beed, for offences punishable under Section 307 of I.P.C. and Sections 3/25, 4/25 of the Arms Act.

5. Three applicants namely Maniram Mahadeo Gaikwad, Narayan Mahadeo Gaikwad and Gopal Parmeshwar Bhise Patil are injured in the said incident. It is alleged that applicants Nilesh Suresh Jadhav, Suresh Ramlal Jadhav, Subhash Chandrakant Jadhav and Nikhil Nagnath Sapkal have pelted stones during the incident. Weapons allegedly used in the crime are already recovered from arrested accused Vishnu Rambhau Gaikwad. Charge-sheet in the present crime is filed on 13/09/2023 against 21 accused persons and trial is not likely to be conducted and concluded in near future. Applicants have no criminal antecedents. Nothing is to be recovered from them, therefore, their pre-trial custodial detention is not necessary.

6. In the result, applications are allowed.

7. In the event of arrest of applicants in connection with C.R. No.327/2023, registered with Shivaji Nagar Police Station, Dist. Beed, for offences punishable under Sections 307, 326, 324, 323, 143, 147, 148, 149, 160, 504, 506 of the Indian Penal Code, Sections 3/25, 4/25 of the Arms Act and Section 135 of the Maharashtra Police Act, applicants be released on executing Personal Bond and Surety Bond of Rs.15,000/- each, with one surety in the like amount.

(NITIN B. SURYAWANSHI, J.)