



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 15 OF 2025

Rushikesh Ambadas Bhambe,
Age : 27 years, Occu. : Agriculture,
R/o. Umrad Pargaon [Jahagir],
Tq. & Dist. Beed.

... Applicant

Versus

1. The State of Maharashtra,
Through Officer-in-charge,
Police Station Shivajinagar Beed,
Dist. Beed.

2. The Superintendent of Police,
Beed, Dist. Beed.

... Respondents

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Mr. S. J. Salunke, Advocate for Applicant.
Mr. N. D. Batule, APP for Respondents-State.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 09 APRIL 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No. 0037 of 2024 registered at Shivajinagar Police Station, Dist. Beed for offence punishable under sections 307, 324, 212 and 506 of Indian Penal Code.

2. Pointing to the date of arrest as 26.03.2024, it is submitted that applicant is behind bars since last one year. That,

occurrence took place all of a sudden. That, there was no intention to assault. That, victim and informant are friends. Learned counsel took this court through the contents of FIR and would submit that, it is clear that injury suffered was in some scuffle and blow was misdirected. That, recovery is already caused. That, no further recovery or discovery is to be made. That, out of two injuries, one is simple and other is grievous in nature. That, there are no prospects of matter going for trial immediately and hence he seeks enlargement on bail on all and any conditions deemed fit by this court.

3. Learned APP opposed on the ground that, serious offence of attempt to murder is committed. That, there is injured witness account as well as eye witness account. Moreover, applicant has bad criminal antecedents. For all above reasons, he opposes the application.

4. Heard. Perused the FIR dated 02.02.2024 at the instance of one Ankush Dhande, who reported that, after closing shop he met his friend Nitin Mhaske and on his offer they went to take meals in a hotel. Informant claims that, while they were taking meals, his acquaintance Rushikesh (i.e. present applicant) came and therefore informant offered him to join for meals, but he

refused, saying that, he had already taken meals. He reported that, shortly thereafter shouts were heard and therefore he and Nitin went outside towards the counter and there they saw informant's friend Ravi and Rushikesh quarreling and Rushikesh beating Ravi and therefore applicant intervened. It is alleged that present applicant asked him not to indulge and gave him push, as a result of which, informant fell and landed on the edge of the table causing injury to his cheek. He further reported that, when he further went to separate the quarrel, it is alleged that, present applicant gave blow of knife, which landed in his stomach. On above report, crime seems to have been registered.

5. Visited the injury certificate of informant is a part of charge-sheet. As submitted, out of two injuries, one is grievous and other is simple. As submitted, from the report, it *prima facie* appears that, applicant and informant are known to each other. Informant has in fact offered meals to applicant. Incidence seems to have taken place while informant intervened in quarrel between other friend Ravi and present applicant. Even present applicant seems to have addressed present applicant as brother and to not to indulge. Therefore, *prima facie*, there does not seem to any motive or intention. Now charge sheet is filed. What is to be further recovery or discovery is not made known to this court. It is not

known whether charge is framed yet or not. Therefore, in view of above uncertainty of trial and when no purpose would be served by further detention, relief as prayed deserves to be granted. Hence, I proceed to pass following order :-

ORDER

I. The application is allowed.

II. Applicant Rushikesh Ambadas Bhambe be released on bail in connection with Crime No. 0037 of 2024 registered with Shivajinagar Police Station, Dist. Beed, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions :

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall attend the concerned police station once in every week i.e. on every Monday and maintain personal diary of his attendance till framing of charge and thereafter, shall regularly attend each and every effective date before the trial court.

III. Parties to act on authenticated copy of this order.

(ABHAY S. WAGHWASE, J.)