



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

916 ANTICIPATORY BAIL APPLICATION NO. 126 OF 2025

Nitin Chandrakant Kharage

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Shekade Shashikant E

APP for Respondents-State: Mr. S. K. Shirse

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 12, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with FIR No.0448/2024, dated 18/10/2024, registered at Georai Police Station, District Beed, for the offences punishable under sections 109, 118(1), 3(5) of Bharatiya Nyaya Sanhita, 2023.
3. The allegations in the FIR against the applicant are that on 15/10/2024, at about 07:30 p.m., the informant, Suresh Gadekar, and Balnath Mote were traveling in Balnath Mote's Swift car for dinner. The informant and Suresh entered the hotel for dinner, while Balnath went to drop off one Kapil Nana. After dinner, at around 08:00 p.m., the informant and Suresh came out of the hotel. In the parking area, the applicant, along with the co-accused, approached them. The applicant allegedly took the informant aside and questioned him about a quarrel that had taken place at Shubham's wedding. It is further alleged that co-accused

Shubham held both hands of the informant while the applicant stabbed him in the stomach. Thereafter, the applicant inflicted knife blows on both hands of the informant.

4. The learned APP has produced the informant's injury certificate. Upon perusal, it is observed that the informant sustained a bleeding injury on the left lower chest, caused by a hard and blunt object, and more particularly, it is simple in nature. There is no incised wound. The learned APP further submitted that the incident was recorded in CCTV footage. Usage of knife by the accused is doubtful.

5. Considering that the injury sustained by the informant is simple in nature, and also taking into account that co-accused Shubham has been granted anticipatory bail by order dated 13/12/2024 in ABA/2082/2024, the applicant is granted anticipatory bail.

6. In view of the above, the application is allowed in the following terms : -

i] In the event the applicant is arrested in connection with FIR No.0448/2024, dated 18/10/2024, registered at Georai Police Station, District Beed, for the offences punishable under sections 109, 118(1), 3(5) of Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station on 17/02/2025 and 18/02/2025, and also as and when called by the police.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.