



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

BAIL APPLICATION NO. 63 OF 2025

- . Sujal @ Rohit Shivaji Gaikwad
Age: 20 years, Occu.: Agri.,
R/o. Jamkhed, Tq.Jamkhed,
Dist.Ahmednagar.Applicant

Versus

- . The State of Maharashtra
Through the Police Inspector,
Jamkhed Police Station,
Tq.Jamkhed, Dist.Ahmednagar.Respondent

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**CRIMINAL APPLICATION NO. 486 OF 2025
IN BAIL APPLICATION NO. 63 OF 2025**

- . Rohit Ratan Mhaske
Age: 21 years, Occu.: Education,
R/o. Kolhe Wasti,, Jamkhed,
Tq.Jamkhed, Dist.Ahmednagar.Applicant
(Brother of Orig. Complainant)

Versus

- 1) Sujal @ Rohit Shivaji Gaikwad
Age: 20 years, Occu.: Agri.,
R/o. Jamkhed, Tq.Jamkhed,
Dist.Ahmednagar.
- 2) The State of Maharashtra
Through Police Inspector,
Jamkhed Police Station,
Tq.Jamkhed, Dist.Ahmednagar.Respondents
(No.1 is orig. Accused)

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Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent no.1 : Mr.V.M.Chate
Advocate for assist to PP : Mr.N.C.Garud

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 17 FEBRUARY, 2025

ORDER :

1. This is a regular bail application on account of arrest of applicant in crime no.0303 of 2024 registered at Jamkhed Police Station, Dist.Ahmednagar for offence under Sections 307, 326, 324, 341, 34 of the Indian Penal Code (IPC) and under Sections 4, 25 of the Arms Act.
2. Criminal Application No.486 of 2025 is filed by the brother of original informant and he seeks permission to assist Public Prosecutor. Permission is granted. Criminal Application No.486 of 2025 is allowed.
3. Learned counsel submitted that applicant is arrested in above crime on 11-06-2024 and there are mere allegations of assault by stick that too on the leg. Learned counsel took this Court through the injury certificate and would submit that injury suffered by the informant victim is simple in nature. He further pointed out that in the same crime, another accused with similar allegations is beneficiary of bail. Therefore, according to him, even present

applicant deserves enlargement on bail on the ground of parity. Lastly, he submitted that now chargesheet is already filed. Therefore, no further recovery or discovery is shown to be made at the instance of applicant. On above grounds, he seeks grant of prayers.

4. Learned APP and learned counsel for assist to Public Prosecutor both have opposed application on the ground that roles are defined. That, as regards to applicant is concerned, he has used stick in causing fracture injury. Learned counsel engaged to assist Public Prosecutor pointed out that assault was planned and with common object. Therefore, they both seek rejection on above grounds.

5. Heard. Perused the papers. FIR seems to be at the instance of one Ashok Ratan Mhaske, who has reported Jamkhed Police on 11-06-2024 regarding occurrence dated 10-06-2024. He reported that initial quarrel was picked by one Pramod Pravin Ghaitadak for giving stare and inflicted blows on hands of victim by means of sickle. As regards present applicant is concerned, there are allegations that he hit injured by means of stick. Injury certificate at page 120 shows that there is fracture to right hand ulna. As regards

to injuries by sickle are concerned, they are attributed to one non-applicant namely Pramod Pravin Ghaitadak. Other accused namely Chand Noor @ Ayan Shaikh with similar allegations seems to have stood beneficiary or regular bail at the hands of this Court by order dated 06-02-2025. Therefore, considering the allegations against the present applicant, grounds of parity rolls in. Precisely for the same reason, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Sujal @ Rohit Shivaji Gaikwad be released on bail in connection with Crime no.0303 of 2024 registered with Jamkhed Police Station, Dist.Ahmednagar on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall not enter in the vicinity of Kolhevasti, Jamkhed, Tq.Jamkhed, Dist.Ahmednagar, till conclusion of trial.
- (v) Criminal Application No.486 of 2025 is disposed of.

(**ABHAY S. WAGHWASE**)
JUDGE