



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

**BAIL APPLICATION NO. 388 OF 2025**

1. Premal Jaysing Gavit  
Age: 23 years, Occu.: Labour.
2. Isaac Jaysing Gavit  
Age: 23 years, Occu.: Labour,  
Both applicant  
R/o. Bandharpada,  
Tal.Navapur, District Nandurbar. ..Applicants

**Versus**

- . The State of Maharashtra  
Through Police Station Visarwadi,  
District Nandurbar. ....Respondent

.....  
Advocate for Applicants : Mr. Atul Madhav Pawar  
APP for Respondent : Mr.PK.Lakhotiya

....

**CORAM : ABHAY S. WAGHWASE, J.**

**RESERVED ON : 07 APRIL, 2025**

**PRONOUNCED ON : 08 APRIL, 2025**

**ORDER :**

1. This is regular bail application on account of arrest of applicants in crime no.0023 of 2025 registered at Visarwadi Police Station, Dist.Nandurbar for offence under Sections 118(2), 115(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.
2. It is pointed out that applicants are arrested in above crime on 30-01-2025. That, there is false implication. That, applicants had

filed FIR against present informant and therefore, instant crime is counterblast. That, there are allegations of assault by wooden sticks, however, according to learned counsel, it was attempt to prevent assault on family members of applicants. That, there was no intention to carryout assault. That, whatever was to be recovered is already recovered. That, no further recovery is to be made. That, investigation is almost over and merely formality of filing chargesheet has remained. As applicants are ready to abide by all and any conditions imposed by this Court, relief as prayed is urged for.

3. Learned APP opposed application on the ground that there is direct eye witness as well as injured witness account. That, injuries are inflicted on vital part like head causing grievous injuries. That, fracture is caused to the frontal bone. That, investigation is not yet complete and hence, for above reasons, bail is opposed.

4. Heard. Perused the FIR dated 29-01-2025 at the instant of Sahil Suresh Gavit. He has reported that Premal Jaising Gavit i.e. present applicant no.1 resides in their neighbourhood. There is dispute over a small piece of open land between them. That, on 27-01-2025, noticing construction material lying on the said land, his

father went to question Premal. It is alleged that informant heard commotion and therefore, he, his mother, sister, maternal aunt ran towards the spot and claims to have seen Premal Jaysing Gavit, Isaac Jaysing Gavit (present applicants) and Dinesh Jaysing Gavit assaulting his father by means of wooden logs causing him head injury.

Learned APP invited attention of this Court to MLC certificate and injury certificate.

It appears that there are fractures to left frontal bone, frontal sinus and medial wall and injury nos.1 and 2 are reported to be grievous injuries.

5. Investigation is still in progress. Chargesheet does not seem to be filed yet. Therefore, taking above allegations into consideration and though instant FIR is counterblast, this court is not inclined to grant relief at this stage. Hence, following order is passed. :

### **ORDER**

Bail Application No.388 of 2025 is rejected.

**( ABHAY S. WAGHWASE )**  
**JUDGE**