



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

BAIL APPLICATION NO. 399 OF 2025

Kiran S/o Yashu Khetre
Age: 22 years, Occu.: Education,
R/o. : Ayodhya Nagar, N-7, Cidco,
Tq. & Dist.Aurangabad.Applicant

Versus

1. The State of Maharashtra
2. Commissioner of Police
Aurangabad.Respondents

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Advocate for Applicant : Mr.Datta Sundarrao Kale
APP for Respondents : Mr.VM.Chate

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CORAM : ABHAY S. WAGHWASE, J.

**RESERVED ON : 21 MARCH, 2025
PRONOUNCED ON : 24 MARCH, 2025**

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in crime no.0638 of 2024 registered at Cidco Police Station, Chhatrapati Sambhajinagar for offence under Sections 109, 115(2), 118(1), 49, 54, 352, 189(2), 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita and under Sections 37(1) and 135 of the Maharashtra Police Act.
2. Learned counsel submitted that applicant is not named in the

FIR. That, in all nine persons are booked for above offence and eight are already released by the learned trial Court itself. That, investigation is over and chargesheet is already filed on 27-12-2024. Therefore, when no further recovery or discovery is to be made, he seeks grant of regular bail.

3. While opposing the bail application, learned APP pointed out that applicant is main accused and investigation revealed that he is the one, who stabbed injured Rehan Sayyad. That, out of three stab injuries, one is on chest and another is on lumbar and there is fracture to 11th Rib. That, there is statement of injured. Therefore, with such allegations, learned APP opposed bail application.

4. Heard. Perused FIR dated 04-10-2024 at the instance of one Ayan Qureshi. He reported that on 03-10-2024 at around 08:30 p.m. he and his friend Rehan Sayyad i.e. injured alongwith their two friends namely Ayan and Rehan were chatting in their lane. A call was received regarding some incidence in N-6 area and therefore, he and his friends went there. He reported that his another acquaintance Manav Kothanmire was in company of 7-8 unknown persons and some of them were having wooden logs and one unknown person was having knife in his hand. Informant and his

friends were beaten and Rehan was stabbed by knife in the backdrop of previous dispute. On such allegations, above crime is registered.

5. Learned counsel has placed on record bail orders in favour of accused Rohit Bhul, Arjun Bhul and Karan Bhul. Statement of injured is also recorded. He gave statement that person wearing purple shirt namely Vishal Khetre gave him stab injuries in stomach. Perused the injury certificate, which shows that out of three injuries, two are grievous. Investigation is now over and chargesheet is filed. There is nothing indicating as to whether matter is committed and whether charge is framed or not. Applicant is arrested on 05-10-2024. Therefore, when no further recovery or discovery is shown to be made, application deserves to be allowed by imposing stringent conditions. Hence, following order :

ORDER

(i) Application is allowed.

(ii) Applicant Kiran S/o Yashu Khetre be released on bail in connection with Crime no.0638 of 2024 registered with Cidco Police Station, Dist.Chhatrapati Sambhajanagar (Aurangabad) 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 into vicinity of Indiranagar, Bayajipura, Chhatrapati Sambhajanagar (Aurangabad) till conclusion of trial.
- (v) Applicant shall report to Cidco Police Station, Dist.Chhatrapati Sambhajanagar (Aurangabad) thrice a week i.e. on every Monday, Wednesday and Friday between 11:00 a.m. to 02:00 p.m. till committal of trial and after commencement of trial, he shall attend the effective dates in the trial Court.

(ABHAY S. WAGHWASE)
JUDGE