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

BAIL APPLICATION NO.500 OF 2025

Sandip Sanjay Valvi,
Age: 31 Years, Occu.: Labour,
R/o. Amoda, Tal. Shahada,
District Nandurbar. ... Applicant

Versus

The State of Maharashtra
Through the Police Station Mhasavad,
District Nandurbar ...Respondent

.....
Mr. S.P. Pandit, Advocate a/w Diksha A. Sharma, Advocate for
Applicant
Mr. S.B. Narwade, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 08 APRIL 2025
PRONOUNCED ON : 09 APRIL 2025

PER COURT :-

1. Instant application is filed for regular bail on account of arrest of the applicant in Crime No.0162 of 2024, registered with Mhasavad Police Station, District Nandurbar for offences punishable under Sections 302, 307, 341, 342, 143, 147, 148, 149, 364, 323 of the Indian Penal Code (IPC) and under Sections 4/25 of the Arms Act and under Section 37(1)(3) and 135 of the Maharashtra Police Act.

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2. Pointing to the date of arrest of the applicant as 13.06.2024, learned counsel submitted that, applicant is behind the bars since almost more than eight months. That, there are allegations of assault by a mob. As regard to the present applicant is concerned, there are allegations of use of stick. He further pointed out that, investigation is over, and charge-sheet is filed in September 2024 itself, but neither the matter is committed, nor charge is framed, and therefore, there is uncertainty about the trial. Learned counsel submitted that other accused with the similar allegations are already granted bail. Therefore, on the ground of parity also, present applicant deserves the same treatment. That, as applicant is ready to abide all and any conditions imposed by this Court, learned counsel seeks grant of bail.

3. Learned APP opposed on the ground that applicant is named in the FIR. He submitted that role of applicant is distinct than other accused, who are granted bail, and therefore, of parity cannot come into picture. However, learned APP admitted that till date, the charge is not framed.

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4. Heard. Perused the FIR dated 13.06.2024 is at the instance of one Vikas Patle, who has named six persons and 6 to 7 unknown persons. Present applicant is shown as accused No.5. Substance of the FIR is that, in the backdrop of previous dispute, persons named in the FIR and others 6 to 7 unknown persons assaulted the informant, Anil Walvi and Savan Pawar by means of fighter and wooden stick. In the FIR, allegations are that, on 12.06.2024, Pavan Choudhary, Jeevan Choudhary, Mohan Choudhary and Vikas Pawar, and others 6 to 7 persons were present with them. When informant Vikas allegedly went with Anil Walvi and Savan Pawar, they were questioned, why they had come to the temple by Pavan Choudhari and Vikas Pawar, that time Pavan was armed with knife as well as fighter whereas others had wooden sticks. It is further alleged that, 4 to 5 persons pulled Anil Walvi from the motorcycle, and he was assaulted by wooden stick. Savan manage to flee, but later on, it is alleged that, Pavan Choudhay along with 5 to 6 persons brought informant and Anil in the Bolero Car to the village. It is further alleged that both of them assaulted by means of fighter, whereas others used wooden stick. Therefore, in the FIR at least, role attributed to present applicant is of use of wooden stick, and Pavan and Vikas are alleged to be armed with weapons like

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knife and fighter. This Court had granted bail to above named persons. They were found to be named in the supplementary statement dated 15.06.2024. Main accused seem to be Pavan Choudhary, Jeevan Choudhari, Mohan Choudhai and Vikas Pawar, and role attributed to them is use of articles like fighter and knife. As regards to the present applicant is concerned, considering the statement across the bar, and role attributed to him is use of wooden stick, and the same is already recovered, applicant deserves relief as prayed. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0162 of 2024, registered with Mhasavad Police Station, District Nandurbar on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:
 - [a] The applicant shall not tamper prosecution evidence.
 - [b] The applicant shall not enter into vicinity of Fattepur, Tq. Shahada, District Nandurbar till conclusion of trial.

**ABHAY S. WAGHWASE,
JUDGE**