



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 525 OF 2025

Vishwas @ Kishor Ashok Tribhuwan,
Age : 21 years, Occu : Labour,
R/o. Gopinath Nagar, Ward No.2, Shrirampur,
Tq. Shrirampur, Dist. Ahmednagar. ... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Shrirampur City Police Station, Shrirampur,
Tq. & Dist. Ahmednagar. ... Respondent

.....
Mr. Joydeep Chatterji, Advocate for Applicant.
Mr. C. V. Bhadane, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 25 APRIL 2025

PRONOUNCED ON : 28 APRIL 2025

ORDER :

1. Applicant seeks grant of regular of bail on account of his arrest in Crime No. 1028 of 2024 registered at Shrirampur Police Station, Ahmednagar for offence punishable under sections 109(1), 118(1), 115(2) r/w 3(5) of Bharatiya Nyaya Sanhita and under section 4/25 of the Arms Act.

2. It is pointed out that, applicant is arrested in above crime on 26.10.2024. That, he is behind bars since more than six months. That, there are allegations of assault by means of Koyta,

but it is recovered not from present applicant and rather it is recovered from co-accused Rohan. Learned counsel invited attention of this court through the hospital papers and would point out that, in first hospital, site of injury is shown as fronto parietal region, but in second hospital, apart from giving history of assault by unknown person, site of injury is CLW left parietal region and right ear bleeding. Now, investigation is over and nothing further is recovered or discovered. That, there are no criminal antecedents and as applicant is ready to abide any conditions imposed by this court, he urges for grant of bail.

3. Learned APP opposed on the ground that there is use of deadly weapon like *Koyta*. That, grievous injuries are inflicted and there is eye witness account. Learned APP also expresses misuse of liberty.

4. Heard. Perused the FIR dated 26.10.2024 at the instance of Ajruddin Sayyed. He claims that, on 25.10.2024 he got phone call about his brother being beaten by Kishor Tribhuan, Rohan Chaudhari and Sameer Shaha and so he rushed there. He claims to have seen *Koyta* in the hand of Kishor i.e. present applicant, wooden log in the hand of Rohan and they assaulted his brother with the same. Sameer Shaha allegedly gave kicks and fist blows to his brother. On above report, crime is registered.

5. Visited the papers, more particularly injury certificate issued by Rural Hospital dated 21.11.2024 is about history of assault and fight with known persons. Injuries noticed are on nose, right ear and head trauma. It is opined that patient has possibly suffered grievous injury. Now, investigation is over. As future course of trial is uncertain and recovery is effected, relief as prayed deserves to be granted. Hence, the following order is passed:-

ORDER

- I. The application is allowed.
- II. Applicant Vishwas @ Kishor Ashok Tribhuwan be released on bail in connection with Crime No. 1028 of 2024 registered at Shrirampur Police Station, Ahmednagar, on executing Personal Bond of Rs. 15,000/- (Rupees Fifteen Thousands only) with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall attend the concerned police station once in every week i.e. on every Monday between 10:00 a.m. to 02:00 p.m. till commencement of trial and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)