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

BAIL APPLICATION NO.582 OF 2025

Vijay S/o. Madhukar Pawar
Age: 30 years, Occ.: Agriculture,
R/o. Hatnoor, Tq. Kannad and
Dist. Chhatrapati Shambhajinagr. ... Applicant

Versus

The State of Maharashtra ... Respondent

**WITH
BAIL APPLICATION NO.724 OF 2025**

Vivek S/o. Dnyaneshwar Pawar
Age: 22 years, Occ.: Education and Agriculture,
R/o. Hatnoor, Tq. Kannad and
dist. Chhatrapati Shambhajinagr. ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Mayur B. Borse, Advocate for Applicants
Mr. N.D. Batule, APP for Respondent – State
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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 21 APRIL 2025
PRONOUNCED ON : 23 APRIL 2025

PER COURT :-

1. Applicants seek relief of regular bail on account of their arrest in Crime No.21 of 2025, registered with Kannad Rural Police Station, District Chhatrapati Sambhajinagar for offences punishable under Sections 109, 118(1), 118(2), 115(2), 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita (BNS).

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2. Learned counsel for the applicants submitted that applicants are arrested on 05.03.2025 and 04.03.2025 respectively, in the backdrop of FIR dated 13.02.2025. According to him, only allegations against applicant Vijay are that he gave slaps. He submitted that allegations of use of knife are against applicant Vivek. That, there is a single injury. He further pointed out that accused Nos. 2 and 3 are already beneficiaries of anticipatory bail at the hands of this Court. That, now investigation is almost over and mere formality of filing charge-sheet has remained, and hence, learned counsel urges for grant of bail on any conditions deemed fit by this Court.

3. Learned APP opposed on the ground that there is eyewitness account. That, injury certificate is also placed on record. That, there is stab injury on the scapular region, which is grievous in nature. That, serious offence of attempt to murder and causing grievous injury is committed by the applicants and their associates. Learned APP pointed out that, investigation is still in progress and charge-sheet is yet to be filed. For all above reasons, bail is opposed.

5. Heard. Perused the papers. FIR dated 13.02.2025 is at the instance of Rushikesh Pawar. He reported that on 13.02.2025,

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while he was returning home after being called by his mother, the younger brother of Vivek Pawar informed him that Vivek was calling him near their house. Therefore, he went there. On reaching there, Vivek, Pushpabai, Shobhabai and Vijay started abusing in the backdrop of previous dispute. He has alleged that, Pushpabai and Shobhabai caught hold of him and Vijay gave him slaps. Whereas, Vivek took out a knife and gave blow on the back. He reported the incident to his mother, who along with his aunt and one Babasaheb Kotkar and Nilesh Kotkar came there and took him to the hospital. Injury certificate of informant Rushikesh is on record. There seems to be a stab injury admeasuring 3 x 5 x 1 cm. on scapular region. Informant has stated that Vijay merely slapped him after he was caught hold by Shobhabai and Pushpabai.

6. Considering such role, at the most, applicant Vijay in Bail Application No.582 of 2025 is entitled to the benefit of bail. However, as regards the applicant Vivek in Bail Application No. 724 of 2025, his role is clearly established, as he used article like knife to stab the informant after issuing threats to kill. Therefore, this Court is not inclined to grant bail to the applicant Vivek, more particularly, when charge-sheet is yet to be filed. Hence, the following order :

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ORDER

(i) Bail application No.724 of 2025 is rejected.

(ii) Bail application No. 582 of 2025 is allowed.

(ii) The applicant Vijay S/o. Madhukar Pawar in bail application No.582 of 2025 be released on bail in connection with Crime No.21 of 2025, registered with Kannad Rural Police Station, District Chhatrapati Sambhajinagar 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 leave the area of jurisdiction of the concerned police station till conclusion of trial.

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

**ABHAY S. WAGHWASE,
JUDGE**