



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 799 OF 2025

Vivek Bharat Shike
Versus
The State of Maharashtra

Mr. Rohit P. Patwardhan h/f Mr. Satej S. Jadhav for the Applicant.
Mr. S. B. Narwade, APP for the State.

CORAM : ADVAIT M. SETHNA, J.
DATE : 2 JULY 2025

P. C.:

1. This is an Application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) as the Applicant in the present proceedings apprehends arrest.
2. These proceedings arise out of CR No.0131 of 2024. The FIR is lodged on 22 June 2025 at 00.46 hours by the City Police Station, Bhusawal. The date of the alleged incident as stated in the FIR is 21 June 2024. The FIR has been registered under Section 394 r/w 34 of the Indian Penal Code, 1860 (“**IPC**”).
3. It is the case of the prosecution that the alleged incident of assault took place on 21 June 2024 at about 8.30 p.m. There was a scuffle/altercation between the Informant and the Applicant. During such altercation, injuries were inflicted on the Informant by the Applicant by using a fighter as stated in the FIR.

Findings:-

4. Heard learned counsel for the parties. With their assistance, perused the record. On perusal of medical certificate dated 26 June 2024 of the Rural Hospital, Bhusawal, Jalgaon from the case diary it appears that the injury is described as CLW and nature of injury is simple. The Applicant has no criminal antecedents. He is a student pursuing education, aged 19 years. He undertakes to fully co-operate with the investigation. It is also submitted by Mr. Narwade that the alleged weapon i.e. fighter has also been recovered from the co-accused person. No further recovery is to be effected. Thus, a *prima facie* case is made out by the Applicant. Custodial interrogation of the Applicant is not warranted in such facts and scenario. In the given facts and circumstances, the following order would meet ends of justice:-

ORDER

- (i) In the event of arrest of the Applicant in connection with C.R. No.0131 of 2024 registered with City Police Station, Bhusawal for the offence punishable under Section 394 r/w 34 of the IPC, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.20,000 (Rupees Twenty Thousand Only) with one or more sureties in the like amount.
- (ii) The Applicant shall cooperate with the investigation and shall attend the concerned police station on every Saturday at 11.30 a.m. until the charge-sheet is filed.

- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately intimated to the concerned police station.
 - (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.
 - (v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.
5. Needless to mention that the observations made above are *prima facie* for the purposes of adjudicating this Application.
6. The Anticipatory Bail Application is allowed in the above terms.

[ADVAIT M. SETHNA, J.]