



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 BAIL APPLICATION NO. 921 OF 2025

Jaydeep Rakesh Kashikar

VERSUS

The State of Maharashtra

...

Advocate for Applicant : Mr. Kakade Amol Narhari

APP for Respondents: Mr. K.K. Naik

.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 14th OCTOBER, 2025.

PER COURT :-

1 Heard.

2 This is an application filed for grant of regular bail in connection with Crime No.14 of 2025, registered with Railway Police Station, District Nandurbar, for the offences punishable under Sections 103(1), 118(1), 118(2), 189 and 191 of the Bharatiya Nyaya Sanhita, 2023.

3 The learned counsel for the applicant pointed out the report, in which it is averred by the informant that the quarrel took place during the travel by train on 2nd February, 2025 at Nandurbar Railway Station, when the train was halted for some time. Earlier to that, Vijay Pagare co-accused was threatened by the informant's side that he will be thrown away as the quarrel took place on account of

the sitting arrangement in the said train. The applicant and other co-accused went there. One of the co-accused, juvenile in conflict with law, assaulted deceased Sumersingh by knife on his left leg, particularly on the thigh. The deceased was admitted in the hospital. Another person i.e. Parbatsingh also sustained injuries. Therefore, report was lodged.

4 The learned counsel for the applicant pointed out the statements of the witnesses, particularly the statements of Ajay and Kuldeep recorded under Section 183 of the BNSS, in which it is stated that the applicant and the juvenile in conflict with law assaulted the deceased. The deceased sustained injuries to his left leg by the knife and that child in conflict with law is released on bail. The applicant's role as stated in the statements of the witnesses is that he beaten the informant and others by stick. The applicant has no criminal antecedents. He has roots in the society and will not flee away from trial. Trial will take a long period. Investigation is over and the further custody of the applicant is not necessary. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and pointed out the statements of witnesses, postmortem report and the injury certificates of the injured witnesses. He submitted that before the incident, main accused Vijay called the co-

accused as he was threatened by the persons of injured party that they will throw him out of the train and the incident took place in which deceased Sumersingh was assaulted on his left leg and thereafter, he succumbed to the injuries. There is evidence of eye-witnesses. In the test identification parade, the applicant is identified by the witnesses. Considering the serious nature of the crime, it is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as injury certificate and the postmortem report of the deceased.

7 From the statements of the witnesses, it appears that vague and allegations are made against the applicant that they beaten the injured in the train. The stick is seized at the instance of this applicant. The applicant has roots in the society and he will not flee away from trial. Trial will take a long period. The applicant has no criminal antecedents. The co-accused are released on bail, in Bail application No. 1042 of 2025 vide order dated 01.10.2025. Considering all these reasons, the application deserves to be allowed on the principles of parity as well as the bail is rule and jail is exception, on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.14 of 2025, registered with Railway Police Station, District Nandurbar, for the offences punishable under Sections 103(1), 118(1), 118(2), 189 and 191 of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(SANJAY A. DESHMUKH, J.)

rlj/