



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

37 BAIL APPLICATION NO. 993 OF 2025

SHUBHAM RAOSAHEB @ SAHEBRAO RATHOD

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr.P.P.More
APP for Respondent-State : Mr.P.P.Dawalkar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.07.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested on 12.01.2025 in connection with Crime No. 0021/2025, registered with Shivaji Nagar Police Station, Latur, for the offence punishable under Sections 109, 351 (3), 115 (2) of the Bharatiya Nyaya Sanhita, 2023.

3] The case against the present applicant is that at about 2.00 a.m. Sameer asked Sarang when he is going to return his money at that time the applicant intervened between them and same was not appreciated by Sameer. Thereafter, after sometime, Sameer made a phone call and asked the applicant as to why he spoke with him arrogantly

and asked him to meet him at Shivaji Chowk. Thereafter, the applicant also made a phone call to Sameer and threatened him to come at Naik Chowk. Thereafter, on 2.45 a.m. Sameer went at Naik Chowk and asked the applicant as to why he intervened between them. On account of the same, there is altercation and the applicant assaulted Sameer by means of knife. Due to said assault, Sameer was injured. Thereafter, he was admitted in the Government Hospital from 11.01.2025 to 17.01.2025 and he was, thereafter, shifted in a private hospital on 17.01.2025. He was admitted in the private hospital from 17.01.2025 to 24.01.2025.

4] The learned counsel for the applicant submits that the fight is between friends on account of some misunderstanding. There are no antecedents against the present applicant. He further submits that investigation in the matter is complete and charge sheet is filed. The applicant is in custody from 12.01.2025 and the applicant is a college going boy. Considering the said fact, bail should be granted in favour of the applicant.

5] *Per contra*, the learned APP submits that there are three injuries caused to the injured and the same are in grievous in nature. The knife is recovered in pursuance of the statement made by the applicant.

6] Considered the rival submissions. *Prima facie*, there is material to connect the present applicant in the alleged crime. The injury caused to the injured is grievous in nature and he was hospitalized from 11.01.2025 to 24.01.2025 and that now he is discharged from the Hospital. However, the applicant is in custody from 12.01.2025. There are no criminal antecedents against the present applicant. The brawl is on account of some misunderstanding. Further custody of the applicant may not be required. Considering this aspect of the matter, the applicant is granted bail. The application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 0021/2025, registered with Shivaji Nagar Police Station, Latur, for the offence punishable under Sections 109, 351 (3), 115 (2) of the Bharatiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/-, with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter Latur City till conclusion of the trial.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE