



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

1002 BAIL APPLICATION NO. 1029 OF 2025

**AAKASH BALAJI ARGADE
VERSUS
THE STATE OF MAHARASHTRA**

...

Mr. P. P. More, Advocate for Applicant
Mr. K. K. Naik, APP for Respondent/State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 09.09.2025

PER COURT :-

1. Heard.
2. This is an application for granting regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.0056 of 2025 registered at Vivekanand Chowk Police Station, District Latur, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 125(A) and 352 of the Bhartiya Nyaya Sanhita, 2023, under Sections 4/25 of the Arms Act and under Section 135 of the Maharashtra Police Act. The applicant's application bearing Criminal M. A. Bail No.278 of 2025 with similar prayer came to be rejected by the learned Additional Sessions Judge, Latur, district Latur, vide order dated 14.05.2025.
3. The learned advocate for the applicant pointed out the report in which it is averred that on 23.01.2025 at about 02:30 p.m., the

informant along with his friend Rushikesh Shinde had gone to a garage for repairing motorcycle of his friend, Sandeep Kolhapure. When they reached the garage at about 03.30 p.m., due to previous quarrel, accused Balaji Argade and Akash Argade came towards the informant by carrying swords and suddenly assaulted him, threatening that they would not let him alive. Fearing for his life, the informant ran towards Vivekanad Chowk. At that time, two mothers of Akash Argade tried to stop the informant, but he pushed them aside and kept running. Subsequently, Pawan Jadhav, Ismail and Ajay Upade followed him on a motorcycle. When he reached Sarola Road, accused Balaji and Akash assaulted him with swords on his head, neck, both hands, back and legs and caused grievous injuries. Thereafter, Rushikesh Shinde took him to Civil Hospital, Latur. Based on these allegations, an FIR was lodged for an attempt to commit murder.

4. The learned advocate for the applicant submitted that the applicant has no criminal antecedents. The charge sheet has been filed. He pointed out the injury certificate, which shows 15 injuries sustained by the informant and argued that these injuries are simple in nature, hence Section 307 of IPC is not attracted. He further submitted that the applicant has roots in society and he will not flee away from the trial. The trial will take long period. He lastly prayed to allow the application.

5. The learned APP strongly opposed the application. He submitted that the applicant is involved in a serious offence committed in broad daylight where he assaulted the informant with a sword with intention to kill him. He submitted that if the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. There is also possibility of the applicant committing a similar offence again. Hence, he lastly prayed to reject the application.

6. Perused the charge-sheet, particularly the report, statements of witnesses and the injury certificate of the informant. The investigation is complete. The charge sheet has been filed. The applicant has no criminal antecedents. Considering these facts and subject to appropriate conditions, the applicant can be released on bail. However, it is made clear that in the event of any misconduct or overt act, the bail granted shall be liable to be cancelled.

7. Considering all these aspects and based on the well-established principle that 'bail is the rule and jail is the exception', the application deserves to be allowed with certain conditions. Hence, the following Order:

::ORDER::

- I. The application is allowed.
- II. The applicant in connection with crime No.0056 of 2025 registered at Vivekanand Chowk Police Station, District Latur, for the offences

punishable under Sections 109, 189(2), 191(2), 191(3), 125(A) and 352 of the Bhartiya Nyaya Sanhita, 2023, under Sections 4/25 of the Arms Act and under Section 135 of the Maharashtra Police Act, be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-

- a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
- b) The applicant shall not enter in entire Latur City for any reason, including for college examinations or otherwise, except on the date fixed for hearing of the case in the trial Court, till the decision of the Sessions Case.

[SANJAY A. DESHMUKH, J.]

HRJadhav