



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 BAIL APPLICATION NO. 1041 OF 2025

SAHEBRAO SUBHASH WADJE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Anil M. Gaikwad
APP for Respondent/State : Mrs. A.S. Mantri
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 19/06/2025

P.C. :

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. Applicants are seeking bail as they were arrested in connection with Crime No. 131/2025 dated 6.5.2025 registered with Kandhar Police Station, District Nanded for the offences punishable under sections 118(1), 118(2) r/w. 3 (5) of B.N.S. 2023.
3. Applicant No. 1 is the son of applicant No. 2. The case against the applicants is that when the informant was travelling in the bullock cart, the applicants stopped him and they have assaulted the informant by means of axe and knife and has caused grievous injuries to the spinal cord and fracture to the left nasal bone of the informant. The informant was admitted in hospital on 5.5.2025 and discharged on 15.5.2025.
4. The learned counsel for the applicants submits that investigation in the matter is proceeded substantially. The learned counsel submits that the applicants were arrested on 7.5.2025 and the weapons are recovered at the instance of the applicants. The learned counsel therefore prays for grant of

regular bail to the applicants.

5. Per contra, the learned APP submits that one of the co-accused is absconding. There are antecedents against the applicant No. 1 of similar kind of bodily offence and that investigation in the matter is in progress and grievous injuries are caused to the informant on spinal cord and fracture to left nasal bone. The learned APP therefore prays for dismissal of the application.

6. Considering the rival submissions, it is to be noted that applicants are arrested on 7.5.2025. Grievous injuries are caused to the informant on spinal cord and fracture to left nasal bone. There are antecedents against applicant No. 1 of the similar kind of bodily offence. As such, this Court holds that no case is made out for grant of regular bail to applicant No. 1 at this stage.

7. As regards the applicant No. 2 is concerned, applicant No. 2 is the father of applicant No. 1 and he is of 68 years old. There are no antecedents against applicant No. 2. There is recovery of weapon at the instance of this applicant. Considering the age of applicant No. 2 and that investigation is proceeded substantially, this Court holds that regular bail can be granted to applicant No. 2 only.

8. In view of the above, the application of applicant No. 1 is dismissed and application of applicant No. 2 is allowed on the following terms :

a] The applicant No. 2 shall be released on bail in connection with Crime No. 131/2025 dated 6.5.2025 registered with Kandhar Police Station, District Nanded for the offences punishable under sections 118(1), 118(2) r/w. 3 (5) of B.N.S. 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 No. 2 shall not enter village Masalga where informant is residing during pendency of the trial.

c] The applicant No. 2, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant No. 2 shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

e] The applicant No. 2 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 No. 2, 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.

9. 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.

10. 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.

11. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/