



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

918 BAIL APPLICATION NO. 1124 OF 2025

Kaamraj Jagdish Nikam (alias Digamber Jagdish Nikam)

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Senior Counsel Mr. V. D. Sapkal i/b Mr. S. R. Sapkal
and Mr. Yash Anil Jadhav

GP for Respondents-State: Mr. A. B. Girase

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 08, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned GP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.0108/2025, dated 28/05/2025, registered with Dhondaicha Police Station, Taluka and District Dhule, for the offences punishable under sections 109, 309(4), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3, 4 and 25 of the Arms Act, 1959.
3. The incident took place on 27/05/2025, and the FIR came to be registered on 28/05/2025. The applicant was arrested on the same day, i.e., 28/05/2025.
4. It is alleged that on 27/05/2025, the applicant, along with two co-accused (three in total), assaulted the informant by means of fist blows due to a dispute regarding obtaining an illegal water connection. The injury certificate produced on record indicates that the injuries sustained by the informant and witness are simple in nature.

5. It is further stated that although a weapon i.e. knife was allegedly carried to the spot and recovered from the spot, there is no allegation of actual use of the said weapon during the incident.

6. The learned APP has strongly opposed the grant of bail, submitting that the applicant had carried a weapon i.e. knife to the scene, which was later recovered from the spot, even though it was not used. He opposed the grant of bail, considering the gravity of the offence.

7. However, considering the nature of the injuries sustained by the informant, and the fact that the incident appears to have occurred due to a dispute regarding a water connection being given to the first informant, the genesis of the offence is a civil dispute. The applicant does not have any criminal antecedents. The applicant is behind bar since 28/05/2025. The trial would take substantial time to conclude. In view of the above, the applicant is granted bail.

8. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No.0108/2025, dated 28/05/2025, registered with Dhondaicha Police Station, Taluka and District Dhule, for the offences punishable under sections 109, 309(4), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3, 4 and 25 of the Arms Act, 1959, on furnishing PR bond of Rs.25000/- with one or two

sureties in the like amount to the satisfaction of the trial Court.

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

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

d] 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.

e] 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.

f] The applicant shall attend the concerned police station once a week until further orders.

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. 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.

10. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.