

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 BAIL APPLICATION NO. 1127 OF 2025

BUCHA ALIAS SANJAY TRIMBAK BHOSLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent/State : Mr. S.K. Shirse
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 18/07/2025

P.C. :

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 250/2024 dated 12.3.2024 registered with Newasa Police Station, District Ahmednagar for the offences punishable under sections 307, 504, 506, 143, 147, 148, 149 of I.P.C. and section 135 of Mumbai Police Act.
3. The prosecution case is that the incident took place on 11.3.2024. The applicant and informant are brothers and both were seeking alms and the incident has occurred due to encroaching each others territory while seeking alms. In the FIR it is alleged that applicant along with others assaulted informant and has caused grievous head injury by means of axe and wooden log. Therefore, crime is registered for aforesaid offences against the applicant and other co-accused.
4. The learned counsel for the applicant has pointed out the order passed by this Court dated 27.3.2025 in BA No. 218/2025. By this order, liberty is granted to the applicant to file bail application afresh if the charge is not framed within two months from the date of the order. The relevant portion of

the above order is as under :-

"ORDER

(I) Bail application is rejected.

(II) In view of the the date of arrest of applicant as 11.05.2024, if the charge is not framed within two months from today, liberty to applicant to move this Court for bail afresh."

5. Thus, this is the successive bail application filed by the applicant for regular bail in view of the above order passed by this Court.

6. The learned counsel submits that since 11.5.2025 the applicant is behind bars and till date charge in the matter is not framed. The learned counsel for the applicant submits that applicant and informant are from lower strata of the society and they were involved in seeking alms and the incident took place on trivial issue of encroaching each others territory while seeking alms. The learned counsel submits that trial may take considerable time to conclude and therefore, the learned counsel seeks regular bail to the applicant.

7. The learned APP has strongly opposed the application on the ground that grievous injury is caused by the applicant to his brother on his head and there are eight antecedents against the applicant.

8. In response to above, the learned counsel for the applicant submit that applicant and informant were living in similarly placed society indulging in anti-social activities, however, there is no single antecedent against the applicant from last several years.

9. From perusal of the FIR and police papers, it appears that one grievous injury on head of informant is caused by the applicant. The offence took place on account of trivial issue between the applicant and his brother i.e. for encroaching each others territory while seeking alms. Having perused the

antecedents, it is seen that the last antecedent is of the year 2017 and thereafter for 8-9 years there are no offences registered against the applicant. The applicant was arrested on 11.5.2024 and since then he is behind bars. It appears that trial would not complete in near future and no purpose would be served by keeping the applicant behind bars till the conclusion of the trial. Considering all above, I deem it appropriate to grant regular bail to the applicant on certain conditions.

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

- a] The applicant shall be released on bail in connection with Crime No. 250/ **2024** dated 12.3.2024 registered with Newasa Police Station, District Ahmednagar for the offences punishable under sections 307, 504, 506, 143, 147, 148, 149 of I.P.C. and section 135 of Mumbai Police Act, 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 attend the concerned police station once in three months from the date of this order till the 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, for reasons to be recorded in writing.
- 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.

11. 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.

12. 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.

13. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/