



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

955 BAIL APPLICATION NO. 1168 OF 2025

NIKHIL SATISH THEURKAR

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant :

**Mr. D. M. Shinde h/f. Mr. Salman K. Pathan
APP for Respondent/State: Mr. V. M. Jaware**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 01.08.2025

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 was arrested on 14.01.2025 in connection with Crime No.0366/2024, dated 08.11.2024, registered with Parbhani Gramin Police Station, District Parbhani, for the offences punishable under Sections 109, 352, 351(2)(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 & under Section 3(25) of the Arms Act.

3] The learned counsel for the applicant relies upon the order of this court passed in the case of co-accused **Naresh Babanrao Kshirsagar Vs. The State of Maharashtra and another, BA/729/2025, dated 09.07.2025.** The learned counsel submits that the role of the present applicant is

lessor than the role of the co-accused Naresh (*supra*). He submits that the allegation against the applicant is that he reached the spot after the incident. In the FIR it is stated that unknown persons reached the spot after the incident. However, he submits that on investigation being conducted no recovery is made at the instance of the applicant. There is no further connecting material against the applicant and that there is no injury sustained in the assault by any one at the instance of the applicant or any one else.

4] The learned APP submits that there are antecedents against the applicant. But in view of the fact that the applicant's role is not discernible or that *prima facie* there is no material available to connect the applicant with the crime, bail can be granted to the applicant.

5] 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.0366/2024, dated 08.11.2024, registered with Parbhani Gramin Police Station, District Parbhani, for the offences punishable under Sections 109, 352, 351(2)(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 & under Section 3(25) of the Arms 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, 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.

6] 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.

7] 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

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