



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

BAIL APPLICATION NO. 1249 OF 2025

1. GAURAV EKNATH PATIL
2. KUNAL EKNATH PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Yogesh A. Jadhav
APP for Respondent : Ms. V. N. Patil-Jadhav

...
CORAM : ARUN R. PEDNEKAR, J.

DATE : 28-07-2025

PER COURT:-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent.

2. The applicants are seeking bail as they are arrested on 09.05.2025 and 14.05.2025 respectively, in connection with Crime No.0038/2025, registered with Mehunbare Police Station, Taluka Chalisgaon, District Jalgaon, for the offences punishable under Sections 109, 118(1), 126, 189, 189(2), 190, 191(2)(3), 281, 351(2)(3) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case is that on 19.02.2025 at about 7.00 a.m. the informant was going to Dahiwad village on motorcycle. One four wheeler dashed his motorcycle from behind. He fell beside the road. When he was trying to get up, applicant No.1 caught hold him from backside and applicant No.2 and other unknown persons came and started beating him with rod and PVC

pipe. It is stated that accused No.2 gave blow of sword over his head. The informant sustained injury.

4. The learned counsel for the applicant submits that the informant has fabricated the entire story. It is merely accidental case of sustained injury.

5. Per contra, the learned A.P.P. submits that applicant No.1 is arrested on 09.05.2025. PVC pipe was recovered at the instance of the applicant no.1. As regards applicant No.2, he was arrested on 14.05.2025, but there is no sword recovered from him. The learned APP also produced injury certificates which shows that the injury on buttock is simple in nature and another injury on right 4th ring finger tip nail is grievous in nature.

6. Having perused the FIR and police papers, it appears that the applicants are in custody since last 2 months and investigation qua the present applicants being substantially completed. Considering the medical report i.e. there is one simple injury and one grievous injury to the informant's finger, which is possible due to the fall from bike, the possibility of exaggerated allegation cannot be ruled out. Considering this aspect of the matter, the applicants are granted bail. The application is allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No.0038/2025, registered with Mehunbare Police

Station, Taluka Chalisgaon, District Jalgaon, for the offences punishable under Sections 109, 118(1), 126, 189, 189(2), 190, 191(2)(3), 281, 351(2)(3) of the Bhartiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- each, with one or two sureties in the like amount to the satisfaction of the trial Court.

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

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

d] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicants, upon being released on bail, shall place on record of the trial Court the details of their Contact Number and residential address with updates in case of any change.

7. 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.

8. The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE