

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 BAIL APPLICATION NO. 1296 OF 2025

YOGESH RAMESHWAR MUTKULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Salunke Sudarshan J.

APP for Respondents/State : Mr. P.P. Dawalkar

Advocate for assisting APP : Mr. S.E. Shekade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 25/07/2025

P.C. :

1. Mr. S.E. Shekade, learned counsel appears for original complainant and seeks permission to assist APP. He is allowed to assist APP.
2. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Mr. Shekade, learned counsel assisting APP.
3. The applicant is seeking bail as he is arrested in connection with Crime No. 264/2025 dated 5.6.2025 registered with Ashti Police Station, District Beed for the offences punishable under sections 109, 118(1), 119(1), 324(4), 324(5), 127(1), 189(2), 191(2), 193(3), 190, 351(2), 351(3) and 352 of B.N.S., 2023.
4. The case against the applicant and other co-accused is that on 3.6.2025 at about 5.30 p.m. applicant and others co-accused have assaulted the informant, his brother and mother while they were going to village. It is also stated that when their car was passing by the bridge of Kasari village, one silver coloured Scorpio vehicle came there and thereafter applicant and other co-accused alighted from the Scorpio vehicle and assaulted the informant and other persons. It is also stated that at that time other nine unknown person came on the spot on motorcycles and they have also assaulted the informant

and other persons.

5. Today, the learned counsel for the applicant has placed reliance on the order passed by this court in **BA No. 1273/2025 dated 23.5.2025 in the case of Pravin Abasaheb Shrikhand and Anr. Vs. The State of Maharashtra and Anr.)** and submits that this court has granted regular bail to the other co-accused in this crime and the role of the applicant is identical with the role of the co-accused – Pravin Shrikhand, who has granted bail vide above order. The learned counsel for the applicant submits that the applicant is in custody from 5.6.2025, weapons are recovered from the spot of incident, investigation is complete and there are no antecedents against the applicants. Therefore, the learned counsel prays to release the applicants on regular bail.

6. The learned counsel assisting APP strongly opposed the application on the ground that applicant is involved in serious crime of dacoity and that there are four antecedents against the applicant. The learned counsel, therefore, prays to reject the application.

7. The learned APP has also strongly opposed the application. However, the learned APP has submitted that there is nothing in police papers to show the antecedents against the applicant. The learned APP has produced injury certificates which shows that three persons have sustained simple injuries during alleged incident. The learned APP therefore prays to reject the application of the applicant.

8. Having considered the above submissions, police papers and the above order passed by this Court in this crime it appears that simple injuries are sustained by the injured. The applicant is behind bars for last one and half months. Investigation is completed. Chargesheet in the matter is filed. There is no further recovery to be made at the instance of the applicant. On perusal of police papers, it appears that there is nothing in police papers to show

antecedents against the applicant. Considering all above and the order passed by this Court in **BA No. 1273/2025 dated 23.5.2025 in the case of Pravin Abasaheb Shrikhand and Anr. Vs. The State of Maharashtra and Anr.**, this court hold that the role of the applicant is similar to that of co-accused Pravin Shrikhand in this crime and that bail needs to be granted to the applicant on some stringent conditions.

9. 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. 264/2025 dated 5.6.2025 registered with Ashti Police Station, District Beed for the offences punishable under sections 109, 118(1), 119(1), 324(4), 324(5), 127(1), 189(2), 191(2), 193(3), 190, 351(2), 351(3) and 352 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 shall not enter taluka Ashti during pendency of the trial except for attending the dates in Court.
 - 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.

10. 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.

11. 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.

12. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/