



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

916 BAIL APPLICATION NO. 1327 OF 2025

RAJU ALLAS RAJKUMAR GURUNATH SONTAKKE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Reddy Ajinkya
APP for Respondent/State: Mrs. V. N. Patil Jadhav

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CORAM : ARUN R. PEDNEKER, J.

DATE : 22.07.2025

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 22.06.2025 in connection with Crime No.391/2025, dated 21.06.2025, registered with Udigri Gramin Police Station, District Latur, for the offences punishable under Sections 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] The alleged incident is dated 18.06.2025. The applicant and the co-accused has assaulted the informant by means of axe. The applicant is arrested on 22.06.2025. The axe is also recovered at the instance of the applicant. The trial court has rejected the bail application of the applicant

considering the observations at paragraph no.9, as under:

“9) It is seen that injured was taking medical treatment at the time of recording his statement by police, doctor gave endorsement of having conscious state of mind and thereafter his statement was recorded by police. He has received injuries on his head, due to assault by means of axe. The specific role is attributed towards accused Rajkumar Sontakke of assaulting informant by means of an axe and said weapon axe was recovered at his instance. He uttered while giving blow to the informant that he would not live his alive. Considering the weapons used and injury on head, which is vital part of body, therefore, it is prima-facie seen that assault was made with attempt to commit murder. It is seen that accused Rajkumar Sontakke is adjoining land holder of injured and played vital role in the commission of offence. Investigation is in progress, therefore, at this stage the apprehension of prosecution that he would create hurdle in investigation appears to be plausible.”

4] The learned counsel for the applicant submits that the investigation in the matter is nearing completion and other co-accused has been granted bail and bail be granted to the present applicant.

5] I have seen the injury certificate. The injury attributed to the applicant on the head is shown to be simple in nature, whereas the informant has suffered grievous fracture injury at the instance of the other co-accused, who have been granted bail.

6] Considering that the injury attributed to the applicant is simple in nature and that other accused are

granted bail and that there are no antecedents against the applicant and that the applicant and the informant are neighbours, the applicant can be granted bail on certain conditions

7] 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.391/2025, dated 21.06.2025, registered with Udigri Gramin Police Station, District Latur, for the offences punishable under Sections 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 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 attend the concerned police station once in a week till filing of the charge-sheet.
- 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.
- 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.

g] The applicant shall not involve himself in similar offences failing which the bail granted would be liable to be recalled.

8] 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.

9] 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]
JUDGE

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