



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1460 OF 2025

AMOL ALIAS GOTYA SAHEBRAO GUJAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Mukund L. Kolhe
APP for Respondents-State : Ms. D. S. Jape
...

CORAM : SACHIN S. DESHMUKH, J.

Date : 1st December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 77 of 2025 registered with Paradh Police Station, Jalna for the offences punishable under Sections 103(2), 109(1) and 333 of Bhartiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that on 02.04.2025 at 7.00 am, the informant received a phone call wherein she was informed that on 01.04.2025, the mother-in-law asked the applicant / accused to avoid consumption of liquor. On that account, the applicant / accused allegedly hit the mother-in-law of the informant by stone. Due to which, the mother-in-law suffered certain injuries on the head and was admitted to the hospital.

3. Heard the learned counsel for the applicant and learned APP for the State.

4. Admittedly, the incident in question occurred on 01.04.2025 and the same was reported to Police Authority on 02.04.2025. Thereafter, on 03.04.2025, the arrest of the applicant was effected.

5. A perusal of record indicates that it was phone call allegedly made by the present applicant to one Arjun, who happens to be the grand-son of the deceased, regarding the commission of offence. The record further reveals that the deceased was initially admitted to the Hospital at Buldhana and later on, shifted to Government Hospital, Aurangabad.

6. Prima facie, the record indicates that none of the aforesaid hospital report states the cause of injury as being "hit by a stone". As far as the, alleged call details record is concerned, the same, at the most, may be treated as extra judicial confession, the evidentiary value of which can be delved into during the trial. Moreover, the charge-sheet does not contain the details of the alleged phone calls.

7. In that view of the matter, the applicant deserves to be released on bail. Accordingly, following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Amol @ Gotya S/o Sahebrao Gujar be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 77 of 2025, registered with Paradh Police Station, Bhokardan, Dist. Jalna, for the offences punishable under Sections 103(2), 109(1) and 333 of the Bharatiya Nyaya Sanhita, on the following conditions :-
- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) Except attending the dates of Court in Trial Court, the applicant shall not enter into the Tahsil of Bhokardan, till conclusion of trial.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi