



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

990 BAIL APPLICATION NO. 1478 OF 2025

1. Vikram Bhagwat Bhange.
2. Sagar Vikram Bhange.
3. Vishal Vikram Bhange.

... Applicants

Versus

The State of Maharashtra.

... Respondent

...
Advocate for Applicants : Mr. Shrikant G. Kawade.

APP for Respondent/State : Mr. N. B. Patil.

Advocate for Informant : Ms. Zainab Yahya Wagh (Surti) & Ms. Surekha Namdevrao Devmane.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 18th September, 2025.

P.C.:

1 Heard.

2 This is an application for grant of regular bail in connection with Crime No.357 of 2025, registered with Kaij Police Station, District Beed, for the offences punishable under Sections 109, 118(2), 118(1), 189(2), 191(2), 191(3), 190, 125, 352, 351, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short "the BNS").

3 The informant averred in the report that on 3rd July, 2025, the applicants came to his house and questioned him as to why the

earlier criminal case lodged against them is not taken back. At that time, applicant No.1 was holding sword. He assaulted the wife of the informant with the sword on both her arms. She fell down. Thereafter, applicant No.2 also assaulted her by sickle on her head. When the father of the informant came there, he was also assaulted by applicant No.3 by sickle on his head and right wrist with an intention to kill him. The daughter of the informant made hue and cry. At that time, co-accused Sharda and Surekha holding iron pipes came there. They assaulted her with iron pipes. At that time, the father-in-law of the informant, namely, Madhukar Munde, also came there, but applicant No.3 assaulted him on his head by the sickle. The informant went to him. Meanwhile, co-accused Sharda and Surekha assaulted him by iron pipes on his left little finger and on the eyebrow of his right eye. At that time, co-accused Priyanka came there with stones. She pelted stones on the informant and his family members. All the accused shouted by saying that as to why the earlier case was filed against them and was not withdrawn. They were abusing and threatening to the informant and his family members. Therefore, the report was lodged.

4 The learned counsel for the applicants submitted that the applicants are falsely implicated in the crime. He further submitted that earlier false criminal case was registered against applicant No.1 by the

wife of the informant. No such injuries are sustained to the informant, his wife and the father-in-law. The applicants have roots in the society and they will not flee away from the trial. The trial will take long period. The custody of the applicants is not necessary. It is lastly prayed to allow the application.

5 The learned APP for the State and the learned counsel assisting the prosecution strongly opposed the application and submitted that the applicants are involved in the serious crime. They submitted that the applicants assaulted the informant and his family member. There are injury certificates. The investigation is in progress and if the applicants are released on bail, they will pressurize the prosecution witnesses and tamper with the evidence. He further submitted that possibility of same nature of crime on the part of these applicants cannot be ruled out. It is lastly prayed to reject the application.

6 Perused the papers of investigation, particularly, the report and the injury certificates of the informant and his families members. Laceration and abrasions are the nature of all the injuries. Still, the same are shown grievous, caused by hard and blunt object. Such injury certificates are *prima-facie* not acceptable to establish the essential ingredients of Section 109 of the BNS. In such circumstance,

when the practical investigation is over, the custody of the applicants is not necessary. The trial will take long period. Considering all these aspects, the application deserves to be allowed on the principle that bail is rule and jail is exception. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicants in connection with Crime No.357 of 2025, registered with Kaij Police Station, District Beed, for the offences punishable under Sections 109, 118(2), 118(1), 189(2), 191(2), 191(3), 190, 125, 352, 351, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.25,000/- each with one surety each of the like amount on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - b) The applicants shall not indulge in similar activities again.
 - c) The applicants shall not enter into Taluka Kaij, District Beed, till filing of the charge-sheet.

[SANJAY A. DESHMUKH, J.]