



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

961 BAIL APPLICATION NO. 1484 OF 2025

1. Mukund Dnyaneshwar Gitte.
2. Rajesh Ashok Waghmode. **... Applicants**

Versus

The State of Maharashtra and another. **... Respondents**

...
Advocate for Applicants : Ms. Pooja Ingle, h/f Mr. S. J. Salunke.
APP for Respondents : Mr. K. K. Naik.
...

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

DATE : 23rd September, 2025.

P.C.:

1 Heard.

2 This is an application for granting regular bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with Crime No.105 of 2024, registered with Parali (City) Police Station, District Beed, for the offences punishable under Sections 302, 307, 120-B, 326, 323, 143, 148, 149, 201, 212, 504 and 506 of the Indian Penal Code, 1860 (for short, "the IPC") and under Sections 3, 4 and 25 of the Arms Act.

3 The learned counsel for the applicants pointed out the report and submitted that the applicants' role is shown in the bottom of the crux of the report that they assaulted the informant by kicks and fists blows. The learned counsel for the applicants further pointed that nothing is seized at the instance of the applicants. The applicants have roots in the society and they will not flee away from the trial. The trial will take long period. The applicants have no criminal antecedents. It is lastly prayed to allow the application.

4 The learned APP for the State strongly opposed the application and submitted that the applicants are booked for serious crime. Applicants' name are mentioned in the report. If they are released on bail, they will certainly pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

5 Perused the charge-sheet, particularly, the report and the statements of witnesses. The names of the applicants are stated in the report that they beaten the informant by kicks and fist blows. However, the applicants have no criminal antecedents. The applicants have roots in the society, they will not flee away from the trial and the trial will take long period. Considering all these aspects, case is made out for granting bail to the applicants on the principle that bail is rule

and jail is exception. Therefore, the application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicants in connection with Crime No.105 of 2024, registered with Parali (City) Police Station, District Beed, for the offences punishable under Sections 302, 307, 120-B, 326, 323, 143, 148, 149, 201, 212, 504 and 506 of the Indian Penal Code and under Sections 3, 4 and 25 of the Arms Act, be released on bail on furnishing personal bond of Rs.15,000/- 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.

[SANJAY A. DESHMUKH, J.]

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