

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 BAIL APPLICATION NO. 1509 OF 2025

GANESH HARIBHAU FULE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent/State : Mr. P.P. Dawalkar
Advocate for assist to APP : Mr. G.R. Syed
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11/08/2025

P.C. :

1. Heard the learned counsel for the applicants, the learned APP for the respondent-State and Mr. G.R. Syed, learned advocate assisting APP.
2. The applicants are seeking bail as they are arrested in connection with Crime No. 226/2025 dated 3.6.2025 registered with Khultabad Police Station, Chhatrapati Sambhajinagar for the offences punishable under sections 109, 118(2), 115(2), 189(2), 189(4), 191(2), 191(3), 190, 324(4), 352, 351(2) of B.N.S. and section 4/25 of Indian Arms Act.
3. The learned counsel for the applicants has placed reliance on the order dated 28.7.2025 passed by this Court in BA No. 1328/2025, by which bail has been granted to the applicants therein in the same crime. The learned counsel submits that the role of the present applicants is identical to that of the above co-accused, who have been granted bail and prays for releasing the present applicants on bail on the ground of parity.
4. The learned APP as well as the learned advocate assisting APP has strongly opposed the application by submitting that as regards applicant No. 1 is concerned, there are two antecedents against him in respect of cases filed in the year 2012 and 2020 and the case of 2012 was registered for the offence

under section 394 of IPC and the case of the year 2020 for the offence under sections 323, 324 of IPC against applicant No. 1.

5. In response to above, the learned counsel for the applicant submits that as regards antecedent noted of 2012 is concerned, it is of more than 15 years old and as regards antecedent of 2020 is concerned, the learned counsel submits that it is in the cross FIR that the applicant is shown as accused.

6. Considering the above submissions and perusal of the police papers, it appears that the role of the present applicants is identical to that of the applicants in BA No. 1328/2025, who were granted bail vide above order. Considering the same, bail can be granted to the present applicant also on the same terms and conditions on the ground of parity.

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. 226/2025 dated 3.6.2025 registered with Khultabad Police Station, Chhatrapati Sambhajinagar for the offences punishable under sections 109, 118(2), 115(2), 189(2), 189(4), 191(2), 191(3), 190, 324(4), 352, 351(2) of B.N.S. and section 4/25 of Indian Arms Act, 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 applicants shall not enter the jurisdiction of Khultabad Taluka for the period of two years.

c] The applicants, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the Court.

e] The applicants 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 applicants, 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.

8. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicants 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, J.]

SSC/