



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

952 BAIL APPLICATION NO. 1511 OF 2025

1. PRASHANT ALIAS BHAIYYA PRATAP WAGH

2. SHARAD DEVCHAND MALI

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicants :

Mr. T. C. Shinde h/f. Mr. Vijay Y. Patil

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

...

WITH

BAIL APPLICATION NO. 1512 OF 2025

1. JIVAN RAMDHAN SAPKAL

2. SHUBHAM SAMADHAN GHAN

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicants :

Mr. T. C. Shinde

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

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 13.08.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are seeking bail as they were arrested on 07.06.2025 in connection with Crime

No.0224/2025, dated 07.06.2025, registered with Jamner Police Station, Taluka Jamner, District Jalgaon, for the offences punishable under Sections 309(4), 332(b), 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] The allegations against the applicants is that on 06.06.2025 between 03:00 to 03:15 p.m. the accused / applicants had been to the house of the informant and one of the accused namely Jeevan Sapkale asked the informant that his wife had been to him for purchasing *papad*; he did not given the *papad* to her, so also, abused her, and questioned him why he had did so. It is stated that the Jeevan Sapkale had abused and slapped on face of the informant. The informant replied to Jeevan Sapkale that he has not abused to anyone. Thereafter, it is stated that again Jeevan Sapkale abused the informant and slapped two to three times. The other family members of the informant also urged the applicant Jeevan Sapkale that he should not beat the informant. It is stated that the relatives of the informant gathered there and they persuaded the accused that there may be some mistake of the informant and then the accused came out of house and again abused and threatened the informant. At that time, Jeevan Sapkale forcefully snatched Rs.2000/- from the pocket of the informant.

4] The learned counsel appearing for the for the

applicants submits that this a trifle matter and snatching of Rs.2000/- from the pocket of the informant is an afterthought and an exaggeration of the incident. There was a prior dispute on account of abusing Jeevan Sapkale's wife and, as such, possibly, in retaliation Jeevan Sapkale had given two to three slaps to the informant, which would at best be an offence of minor hurt. He submits that the applicants may be enlarged on bail.

5] The learned APP initially submits that he has not received the papers, however, he further submits that the applicants have snatched Rs.2000/- from the pocket of the informant and that they have abused, assaulted the informant, so also, trespassed the house of the informant.

He further points out paragraph no.13 of the trial court's order dated 25.07.2025, wherein it has observed that the applicants are habitual offenders. However, there is no material on record indicating the same. The learned counsel for the applicant submits that as regards the applicant Jeevan Sapkale there are two antecedents of the year 2010 and 2013, relating to offence of 323 IPC.

The learned APP further submits that, the investigation in the matter is in progress and, thus, he urges before this court that the applicants are not entitle for the relief of grant of bail.

6] Having considered the rival submissions and perusal of the FIR, prima facie, the matter looks like trifle in nature. The amount of Rs.2000/- snatched from the pocket of the informant seems to be an afterthought and an exaggeration of the incident. As per the informant, two to three slaps were given to the informant by Jeevan Sapkale. The incident as per the information given by the informant is due to prior incident of not giving *papad* and abusing the wife of one of the applicant Jeevan Sapkale.

7] Considering the above conspectus of the matter and that the applicants are in jail from 07.06.2025, coupled with the fact that the investigation seems to be substantially progressed, further custody of the applicants is unwarranted and the applicants can be enlarged on bail.

8] In view of the above, the applications are allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No.0224/2025, dated 07.06.2025, registered with Jamner Police Station, Taluka Jamner, District Jalgaon, for the offences punishable under Sections 309(4), 332(b), 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

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

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

d] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

e] 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.

9] 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.

10] It is also clarified that the observations made in this order are limited for the disposal of the present bail applications. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE