



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

923 BAIL APPLICATION NO. 1451 OF 2025

1] KRUSHNA BALU @ BALASAHEB TARAKH
2] RAHUL S/O. BALU @ BALASAHEB TARAKH

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr.R.V.Gore
APP for Respondent-State : Mrs.V.N.Patil-Jadhav
Advocate for assist to P.P. : Mr.V.P.Savant

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**WITH
CRIMINAL APPLICATION NO. 3026 OF 2025
IN BA/1451/2025**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 05.08.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.3026/2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicants, the learned APP for the respondent-State and the learned counsel for assist to P.P.

3] The applicants are seeking bail as they are arrested on 11.07.2025 in connection with Crime No.0249/2025, registered with Gondi Police Station, Taluka Ambad, District Jalna, for the offence punishable under Sections 109, 329 (3), 118 (1), 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

4] The case against the present applicants is that agricultural land of both parties is adjacent to each other at village Antawali Sarati. The FIR is registered on 10.07.2025, alleging therein that on 04.07.2025 the applicants along with co-accused have assaulted the informant and his father. As such, the FIR is registered against them. Thereafter, the applicants are arrested on 11.07.2025.

5] The learned counsel for the applicants submits that role of the accused no.4, namely, Parmeshwar Tarakh is identical to the role of the present applicants and accused no.4, Parmeshwar, is granted anticipatory bail by the Sessions Court. He further submits that accused no.1 is in jail and he has not applied for bail. He further submits that as regards applicant no.1, namely, Krushna is concerned, he was not holding any weapons and he sat on the chest of the informant. As regards applicant no.2, namely, Rahul is concerned, he has assaulted the informant by means of handle of axe i.e. wooden stick. He further submits that

investigation is complete and that the weapons used in the alleged assault are recovered from the applicants and no further recovery is to be made at the instance of the applicants. On account of prior enmity between the parties, there are exaggerations in the FIR. Considering the said fact, bail should be granted in favour of the applicants.

6] *Per contra*, the learned APP, so also, the learned counsel for assist to P.P. submit that as regards the applicant no.2, Rahul Tarakh is concerned, there is one complaint registered against him under Section 379 of the IPC, so also, NCs are registered against the applicants by the informant.

7] The learned APP produced the injury certificate which shows that the injuries caused by applicants are simple in nature. The applicants are in jail on 11.07.2025. There is civil dispute pending between the parties, as such, exaggerations cannot be ruled out at this stage. There is one crime registered against applicant no.2–Rahul, under Section 379 of the IPC and not of bodily injury. Considering this aspect of the applicant, the applicants are granted bail. The application is allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No.0249/2025, registered with Gondi Police Station, Taluka Ambad, District

Jalna, for the offence punishable under Sections 109, 329 (3), 118 (1), 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 their 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. 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.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC