



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 BAIL APPLICATION NO. 1599 OF 2025

(1) Ritesh Alias Babalu Milind Ghangave And
(2) Ashitosh s/o Dayanand Ghangave

VERSUS

The State Of Maharashtra

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Mr. Ashtekar Raviprasad K., Advocate for Applicant
Mr. P. P. Dawalkar, APP for Respondent State

CORAM : SANJAY A. DESHMUKH, J.

DATE : 14th October, 2025

ORDER:

1. Heard.

2. This is an application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "the BNSS"), for grant of regular bail in connection with Crime No.156 of 2025, registered with Shivajinagar Police Station, District Latur, for the offences punishable under Sections 109, 115-2, 352, 351-3 r/w 3-5 of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS").

3. The learned counsel for the applicants pointed out the report in which the informant averred that on 27.04.2025, at about 07.00 p.m., the applicants and other co-accused stopped him and his friend Aarbaj Shaikh when they were proceeding and threatened on account of earlier quarrel. They were saying why are you close with persons from Sambhajanagar. That time Applicant No.1 took out sickle and assaulted the informant and tried to stab him. In an effort to avoid stabbing, he

sustained injuries to his hand and also suffered fracture. The applicant No. 2 also assaulted him on his back with stone. That time, applicant No.1 again assaulted on the right thigh of the informant. Informant fell down. He was taken to the Hospital and report was lodged immediately against the applicants and co accused.

4. The learned counsel for the applicant submitted that the applicants are falsely implicated in the crime. They have roots in the society and they will not flee away from the trial. Trial will take a long period. The applicants have no criminal antecedence. It is lastly prayed to grant bail to the applicants.

5. The learned APP for the State strongly opposed the application and submitted that the applicants are involved in the serious crime. They have attempted to commit murder of the informant. The applicant No.1 has criminal antecedents. If the applicants are released on bail, they will pressurize the prosecution witnesses and tamper with the evidence. The possibility of commission of similar nature of crime again on the part of the applicants also cannot be ruled out, if they are released on bail. It is lastly prayed to reject the application.

6. Perused the charge-sheet, particularly, the report and the statements of witnesses. At the instance of applicant No.1 sickle is seized. The applicant No.1 has criminal antecedents. He attempted to commit murder of the informant. The informant sustained fracture injury to his hand. Considering the serious nature of the crime and the

fact that the applicant no.1 has criminal antecedents, his application deserves to be rejected.

7. So far as the applicant No.2 is concerned, he has no criminal antecedents. His role is that he assaulted the informant by stone. Considering all these aspect, applicant No.2 is entitled for regular bail on the principle that bail is rule and jail is exception. Considering all these aspects, the application of applicant No.2 deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application of Applicant No.1 is rejected.
- II. The application of Applicant No.2 is allowed.
- III. The Applicant No.2-, in connection with Crime No.156 of 2025, be released on bail on furnishing personal bond of **Rs.25,000/-** with surety of the like amount on following conditions:-
 - a) The applicant No.2 shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - b) The applicant No.2 shall not enter into Latur Town, till the conclusion of trial, except on the dates fixed by the Trial Court for attending the trial.

- c) The applicant shall not indulge in similar activities again.

(SANJAY A. DESHMUKH, J.)

JPChavan