



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

1017 BAIL APPLICATION NO. 1613 OF 2025

WALMIK UTTAM TAYDE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. Harshal Prakash Randhir, Advocate for Applicant

Mr. S. B. Narwade, APP for Respondent/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 09.09.2025

PER COURT :-

1. Heard.

2. This is an application for granting regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with crime No.0148 of 2025 registered at Bhusawal Taluka Police Station, District Jalgaon, for the offences punishable under Sections 109, 115(2), 310(2), 324(5), 351(2) and 352 of the Bhartiya Nyaya Sanhita, 2023. The applicant's application bearing Bail Application No.348 of 2025 with similar prayer came to be rejected by the learned Additional Sessions Judge and I/c. Court of District Judge-1, Bhusawal, District Jalgaon, vide order dated 25.07.2025.

3. The learned advocate for the applicant pointed out the report dated 23.06.2025, wherein it is averred that on 23.06.2025 at around 08:30 to 09:00 p.m., Kunal Ahire, Sonu Mhaske, Navin Lokhande and

8 to 10 other persons came in front of the hotel of the informant. They called the informant, who is the manager of the hotel Varun, situated at Sakegaon. When the informant came outside his hotel, Kunal Ahire hit him on his head with a bottle of glass. Kunal and his companions picked up quarrel with the informant on the ground that he had not provided them liquor on the previous day. They entered the hotel and started damaging liquor bottles and furniture, causing damage worth approximately Rs. 1,50,000/-. They also abused the hotel staff and threatened to kill them. During the incident, the accused forcibly took away the amount approximately Rs.20,000/- to 25,000/- from the counter of the hotel. They also took away the DVR of the CCTV footage installed in the hotel. Thereafter, the report was lodged.

4. The learned advocate for the applicant pointed out the report and submitted that the name of the applicant is not mentioned in the report. He fairly concedes that the applicant was present at the spot of the incident but he has not participated in the crime and there is no such material against him. He submitted that two other co-accused have already been released on bail. The investigation is over and the trial will take long period. The applicant has no criminal antecedents. It is lastly prayed to allow the application.

5. The learned APP for the State strongly opposed the application

and submitted that the applicant is involved in a serious crime. He submitted that there is possibility of the applicant pressuring the prosecution witnesses and tamper with the evidence. He further submitted that if the applicant is released on bail, he may commit similar nature of offence again. It is lastly prayed to reject the application.

6. Perused the investigation papers, particularly the report and the injury certificate of the informant. The alleged injury is not attributed to this applicant and his name is not mentioned in the report. The applicant has roots in the society and he will not flee away from the trial. The practical investigation is over and the trial will take long period. The applicant has no criminal antecedents. The custody of the applicant is not necessary. Considering all these aspects, a case is made out to allow the application and grant bail to the applicant, on the principle that bail is the rule and jail is an exception. Hence, the following order:

::ORDER::

- I. The application is allowed.
- II. The applicant in connection with crime No.0148 of 2025 registered at Bhusawal Taluka Police Station, District Jalgaon, for the offences punishable under Sections 109, 115(2), 310(2), 324(5), 351(2) and 352 of the Bhartiya Nyaya Sanhita, 2023, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on

following conditions:-

- a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
- b) The applicant shall not enter in village Sakegaon Taluka Bhusawal, District Jalgaon, till filing of the charge-sheet.

[SANJAY A. DESHMUKH, J.]

HRJadhav