



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 BAIL APPLICATION NO. 1744 OF 2025

ABHISHEK SUBHASH NIRPAGARE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent-State : Mr. S.N. Morampalle
...

CORAM : SACHIN S. DESHMUKH, J.

Date : 2nd December, 2025

ORDER :-

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 0164 of 2025 dated 07.04.2025 registered with Chikalthana Police Station, District – Chhatrapati Sambhajnagar for the offences punishable under Sections 103(1) read with 3(5) of the Bharatiya Nyaya Sanhita.

2. Heard the learned counsel for the applicant and learned APP for the State. Perused the chargesheet made available.

3. The FIR filed against the present applicant, alleges that on 05.04.2025 at 10.37 pm, informant received information that his brother, namely, Sagar had a quarrel. When informant, along with two neighbours reached the location found his brother had sustained

bleeding injuries. Thereafter, the informant admitted his brother to hospital in ICU. Subsequently the informant gathered information that Rahul Bhosale had used filthy language and hit stone on head of his brother. It is alleged that present applicant assaulted deceased Sagar with knife and when Vikas (friend of Sagar) tried to intervene the quarrel, present applicant assaulted him as well with knife. Thee brother of informant succumbed to injuries on 07.04.2025.

4. Learned counsel for the applicant submits that present applicant is behind bars since 09.06.2025. Investigation is completed and chargesheet was filed on 23.06.2025. Applicant has no criminal antecedents. Applicant is not named in the FIR. There are no eye witnesses to the alleged incident and no Test Identification parade is conducted. There is no motive or intention attributed to the present applicant. Therefore, it is prayed to allow the application and grant regular bail to applicant.

5. Learned APP opposed the application, submitting that the applicant is involved in serious offence and also invited attention of this Court to statements indicating the applicant's involvement.

6. Admittedly, the present applicant is not named in the FIR. As such, in absence of any prelude and the fact that the other accused, namely, Rahul Bhosale, is the main assailant in the entire episode, no

purpose would be served by keeping the accused behind the bars. Moreover, the investigation is completed and the chargesheet is filed. Therefore, the applicant can be released on bail by imposing necessary and stringent conditions to secure presence during trial.

7. Keeping in view the peculiar facts and circumstances of the case, the right of informant to liberty of the applicant needs to be upheld by imposing stringent conditions.

8. In that view of the matter, the applicant deserves to be released on bail.

9. Resultantly, following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 0164 of 2025 registered with Chikalthana Police Station, District – Chhatrapati Sambhajanagar for the offences punishable under Sections 103(1) read with 3(5) of the Bharatiya Nyaya Sanhita on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court.

- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.

**(SACHIN S. DESHMUKH),
JUDGE**

arp/-