



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

999 BAIL APPLICATION NO. 1820 OF 2025

Rushabh Alias Kiran Manohar Shirsath

VERSUS

The State Of Maharashtra

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Mr. Bhosale Mahesh Kalidas, Advocate for Applicant

Mr. K. .K. Naik, 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.98 of 2025, registered with Devpur Police Station, District Dhule for the offences punishable under Sections 135, 111, 109, 118(1), 115(2), 189(2), 191(2), 190 & 249 of the Bharatiya Nyaya Sanhita, 2023 (for short, “the BNS”) and section 135 of the Maharashtra Police Act.

3. The learned counsel for the applicant pointed out the report lodged against the applicant and other accused, who are released on bail, in which it is averred that the applicant assaulted on the face of the injured Yogesh, who is son of the informant.

4. The learned counsel for the applicant submitted that other co-accused who have beaten Yogesh by iron pipe and caused injuries to his head are released on bail. He, therefore, prayed for granting bail on

the basis of parity. It is further submitted that the applicant has roots in the society and he will not flee away from the trial. Trial will take a long period. 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 the serious crime. There is strong motive for attempt to commit murder of the son of the informant Yogesh. The applicant's role is specifically stated by the witness Yogesh that he was assaulted by steel bucket on his face by the applicant due to which, he suffered serious injury. The applicant has criminal antecedents. If he is released on bail, he 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 applicant also cannot be ruled out, if he is released on bail. It is lastly prayed to reject the application.

6. Perused the charge-sheet, particularly, report and the statements of witnesses along-with injury certificate. Considering the fact that co-accused who are similarly situated are released on bail by the trial court, the applicant is certainly entitled for bail on the principle of parity. Therefore, the application deserves to be allowed on certain conditions on the principle that bail is rule and jail is exception. Hence, the following order:-

ORDER

I. The application is allowed.

II. The applicant, in connection with Crime No.98 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 shall not enter in the jurisdiction of Dhule City till the end of December, 2025. However, he is at liberty to attend the dates of hearing in the criminal cases filed against him between 10 a.m. to 5 p.m only on the fixed dates of the concerned matters.
- (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 proof of residence/ Adhar Card alongwith details of mobile numbers of his two close relatives in the Court and in concerned police station.
- (d) Violation of any conditions above, will be a ground for cancellation of bail.
- (e) Bail order be informed to the applicant through Jail authority by E-mail.

(SANJAY A. DESHMUKH, J.)