



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1861 OF 2025

Aditya Anil Kole

VERSUS

The State Of Maharashtra

...

- Mr. Abhaysinh K. Bhosle, Counsel for the Applicant
- Mr. S. M. Ganachari, APP for Respondent - State

...

CORAM : MEHROZ K. PATHAN, J.

DATED : 19.11.2025

PER COURT :

1. Heard Mr. Bhosle, learned counsel for the applicant and learned APP for the State.
2. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 354 of 2025, dated 27.08.2025, registered with Pundlik Nagar Police Station for the offences punishable under Sections 118(2), 115(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution alleges that on 26.08.2025, at around 1.30–1.45 a.m., the informant, who was asleep with his family at Navnath Nagar, was disturbed by loud noise created by Avinash Shendge, Ravi Shendge, Budhabhushan Shendge and Aditya Kole. When the

informant requested them to leave as his child had woken up, they abused him. The informant's brother, Munjabhau, intervened, but the accused continued abusing both. It is alleged that Avinash assaulted the informant with a rod on his head and Ravi struck him with a brick on his right ear, causing serious injuries, after which the informant fell unconscious. He was taken to the hospital, admitted, and later lodged the report from the ICU.

4. The learned counsel for the applicant submits that though the applicant is named in the First Information Report, no specific overt act of the applicant using any weapon or causing any grievous injury to the victim is attributed to him. The applicant was not even shown as an accused initially at the time of registration of the FIR; however, his name came to be added on the date of registration of the FIR, i.e., 27.08.2025.

5. The learned counsel for the applicant further submits that the investigation is almost complete and the charge-sheet is likely to be filed shortly. Therefore, there is no likelihood of the applicant tampering with the prosecution evidence or threatening the prosecution witnesses. The applicant is a student, has no criminal antecedents, and is ready to abide by any conditions that may be imposed by this Court. He, therefore, prays that the applicant be released on regular bail.

6. As against this, the learned APP vehemently opposes the bail application on the ground that there are serious allegations of assault against the applicant and that he was found accompanying the co-accused who have caused serious injuries to the complainant. The injury certificate reflects two injuries; though simple in nature, they show the intention of the applicant and the co-accused to cause harm over a trivial issue. He submits that this is not a fit case for the grant of regular bail, as the charge-sheet is yet to be filed and there is a likelihood that the applicant may threaten the prosecution witnesses or may not remain available for trial.

7. I have perused the investigation papers, including the medical injury certificate, statements of witnesses, and the spot panchnama. A perusal of the statements recorded during the investigation shows that the main role of assault is attributed to Avinash Shendge and Ravi Shendge, whereas general allegations are made against the present applicant, Aditya Anil Kole. The injury certificate shows that the complainant, Bhagiram Mahadu Dhawale, sustained two injuries one abrasion and one contused lacerated wound—both of which are simple in nature, as certified by United Sigma Hospital, Chhatrapati Sambhajanagar.

8. It is further seen that the investigation is almost complete and the charge-sheet is about to be filed. Hence, apprehension of the

learned APP that the applicant may threaten the prosecution witnesses and tamper with the prosecution evidence, can very well be taken care of by imposing stringent conditions.

9. Hence, the following order -

ORDER

- i. Applicant – *Aditya Anil Kole*, be released on regular bail on furnishing PR. bond of Rs. 50,000/- (Fifty Thousand Only) , with one or two local solvent sureties in the like amount, in connection with FIR bearing Crime No. 354 of 2025, dated 27.08.2025, registered with Pundlik Nagar Police Station for the offences punishable under Sections 118(2), 115(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The applicant is directed to attend the concerned police station and report to the Investigating Officer as and when called, till filing of the charge-sheet.
 - (b) The applicant shall attend each and every date of the trial, except under exigency, in which case he may seek exemption before the learned trial Court.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner. A single report of the applicant threatening or pressurizing the witnesses shall entitle the prosecution to seek cancellation of bail.

(d) 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.

10. The Bail Application is allowed in the aforesaid terms.

(MEHROZ K. PATHAN, J.)