



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

BAIL APPLICATION NO. 1876 OF 2025

1. DNYANESHWAR VITTHAL SHINDE

2. VISHAL SANTOSH SHINDE

VERSUS

THE STATE OF MAHARASHTRA

WITH

CRIMINAL APPLICATION NO. 3833 OF 2025

IN BA/1876/2025

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Advocate for Applicants : Mr. Bhosale Mahesh Kalidas

APP for Respondent/State : Mr. R.D. Raut

**Advocate for Applicants in Cri.Appln. No.3833/2025 : Mr. Aditya
Waghmare**

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CORAM : MEHROZ K. PATHAN, J.

DATE : 3rd NOVEMBER 2025

PER COURT :

1. The Applicants have filed the Bail Application No.1876/2025, thereby praying for grant of bail in connection with Crime No.654/2025 registered at Gangakhed Police Station, District Parbhani dated 08.09.2025 for the offences punishable under Sections 109, 118(2), 118(1), 189(2), 189(1), 191(2), 191(3), 351(2), 351(3), 324(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The allegation against the Applicants is that Applicant No.1/Dnyaneshwar, and Applicant No.2/Vishal, along with three other accused persons, inflicted a blow with a sickle on the shoulder

of Prasad and assaulted Hanuman, causing an injury to his finger. It is further alleged that a blow with a sickle was also inflicted on Dnyaneshwar. At that time, the Informant's father, Vyankat, came to intervene in the quarrel, during which Dnyaneshwar inflicted a blow with a sickle on his right arm, chest, and thigh of the father. Applicant No.2, Vishal, also struck the Informant with a sickle on the elbow and arm. Additionally, the accused caused damage to their vehicles.

3. It is the submission of the Counsel for the Applicants that the investigation is almost complete and that the Applicants were arrested on 08.09.2025. It is also the submission of the Counsel that there is a counter FIR filed by the complainant Vishal who is the Applicant No.2 in the present bail application against the complainant Parmeshwar and other five accused persons which is registered as FIR No.655/2025 for the offence punishable under Section 326 of the Indian Penal Code. It is the submission that the Applicants and the complainant are neighbors and have settled the dispute amicably and upon such settlement the other three accused persons, Sheela, Santosh and Kalyani were granted anticipatory bail by the learned Sessions Court and that in view of the fact that the matter is now settled and the investigation is almost complete, the Applicants may be released on bail.

4. As against this, the learned APP has vehemently opposed the bail application on the ground that the Applicants involved in

inflicting serious injuries upon the complainant party and that any settlement at this stage only reflects that the Applicants have tried to influence the witnesses and that the investigation is yet to be completed and there is every likelihood if the Applicants are released, they may again commit offences of like nature and disturb the peace and tranquility in the neighborhood. He therefore prays for rejecting the bail application.

5. Learned Counsel Mr. Waghmare appears for the complainant filed an application no.3833/2025 for assisting the prosecution. The affidavit filed on behalf of Applicant/Parmeshwar shows that Parmeshwar and the accused persons have amicably settled the dispute and that the said compromise was taken note of by the learned Sessions Judge, Gangakhed in ABA No.204/2025 and accordingly the other three co-accused persons who have released on anticipatory bail by the learned Sessions Judge. He therefore submits that there is no threat to the prosecution witnesses if the Applicants are released on bail.

6. I have gone through the record alongwith the application and affidavit filed by the complainant. The perusal of the record shows that the injury sustained by Hanuman was only fracture to the left middle finger middle phalynx fracture with tendon rupture and on this allegation, offence punishable under Section 307 IPC which is now Section 109 BNS is invoked by the police authorities.

. It is also seen that the other accused persons namely Sheela

Santosh and Kalyani are already released on anticipatory bail by the learned Sessions Judge, itself after filing of the present application. The compromise entered into between the complainant and the accused persons therein is also taken note of. Be that as it may, the Applicants have been behind bars since 08.09.2024. In my opinion, as the investigation is already complete and the complainant himself has filed an application stating that there is no threat of tampering with the prosecution witnesses, the apprehension raised by the learned APP for the State can be addressed by imposing further conditions upon the Applicants. Hence, the following order:

ORDER

(a) The Applicants - Dnyaneshwar Vitthal Shinde and Vishal Santosh Shinde, be released on bail on furnishing P.B. of Rs.25,000/- each with one solvent surety of the like amount, in connection with Crime No.654/2025 registered with Gangakhed Police Station, District Parbhani dated 08.09.2025 for the offences punishable under Sections 109, 118(2), 118(1), 189(2), 189(1), 191(2), 191(3), 351(2), 351(3), 324(2) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions:

(i) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(ii) A single incident of threatening either to the complainant/Parmeshwar or the other family members, would entitle the prosecution to seek cancellation of bail of the present Applicants.

- (b) The Bail Application is allowed in the above terms.
- (c) Both the applications are disposed of.

MEHROZ K. PATHAN
JUDGE

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