



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

BAIL APPLICATION NO. 1893 OF 2025

GORAKH ALIAS GORAKSHNATH BHAGWAN KASHID
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondents : Mr. S. N. Morampalle

...
WITH CRIMINAL APPLICATION NO. 3970 OF 2025 IN BA/1893/2025

PRAKASH DAMODHAR KASHID
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Rajesh H. Mewara

CORAM : SACHIN S. DESHMUKH, J.

DATE : 12-12-2025

PER COURT:-

1. The applicant is seeking regular bail in Crime No.0211 of 2025, dated 11.07.2025 registered with Police Station Beed (Rural), District Beed, for the offences punishable under Sections 109, 118(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4 and 25 of the Arms Act, 1959. In connection with said crime, the applicant is arrested on 08.07.2025 and the chargesheet is filed on 26.08.2025.

2. The case of the prosecution that the informant discovered a bamboo stick in his field scattered on the side of a road. Upon noticing, the applicant questioned the informant reasons for throwing the stick. Subsequently, the applicant allegedly assaulted

the informant on the head with a sickle, with the intent to kill. This attack rendered the informant unconscious, after which he was shifted to the hospital by his brothers.

3. The applicant reported the incident to the police, which resulted in the registration of a non-cognizable report against the informant and his brother. Later on, when the applicant was in his cattle shed, the informant and his brother reacted there and started hurling abuses on account of previous quarrel. Although the applicant requested not to indulge in it proceeded to assault him with fists and kicks.

4. Learned counsel for the applicant submits that the alleged incident occurred on 08.07.2025 is allegedly witnessed by Ganesh and Atmaram. It is submitted that there is an unexplained delay of four days in lodging the First Information Report, which *prima facie* indicates that the allegations are concocted and afterthought.

It is also submitted that the applicant had already initiated legal action by registering an NC against the informant and his brother, and the present FIR is merely retaliation to that earlier proceeding. It is submitted that the registration of the crime is the result of instigation by the applicant's political rivals. Hence, prayed to allow the application.

5. Learned A.P.P. has opposed the application and submitted that there is strong *prima facie* case against the applicant. The

applicant has actively participated in the alleged crime.

6. Learned counsel for the informant opposes the bail application, submitting that the offense is of an exceptionally serious nature. It is contended that the applicant assaulted the informant with a sickle (Koyata), causing grave injury. The counsel further submits that the informant and the witnesses apprehend a legitimate danger to their lives in the event the applicant is granted liberty. It is also submitted that the applicant is a habitual offender with a history of repeatedly threatening the informant. The counsel points out the applicant's criminal antecedent. In light of these circumstances, prayed for rejection of the bail application.

7. Upon considering the submissions of both parties and perusing the material on record including the chargesheet and medical certificate reveals that the informant sustained a contusion and a lacerated wound, which must be considered alongside the significant delay in lodging the complaint. Although the alleged incident occurred on 08.07.2025 and the first information report was not registered until 11.07.2025. This unexplained delay coupled with the nature of the injuries, suggests a *prima facie* case for the grant of bail. Nevertheless, as the investigation is complete and the chargesheet has already been filed, the applicant's custodial interrogation is no longer required.

The concerns of the prosecution can be effectively addressed by imposing stringent conditions to ensure the applicant's presence during the trial and to prevent any interference with witnesses.

8. In view of the foregoing facts and circumstances, the application is allowed. The applicant deserves to be released on bail, subject to following conditions.

9. Hence, the order:-

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Gorakh Alias Gorakshnath Bhagwan Kashid 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.0211 of 2025 dated 11.07.2025 registered with Police Station Beed (Rural), District Beed, for the offences punishable under Sections 109, 118(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4 and 25 of the Arms Act, 1959, on the conditions that;
 - (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.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (iv) Criminal Application No.3970 of 2025 stands disposed of.

[SACHIN S. DESHMUKH, J.]

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