



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1985 OF 2025

Kashinath Rameshwar Todkar And Others

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....
Advocate for Applicant : Mr. Jadhav N. L.
APP for Respondents: Mr. R.D. Raut.

CORAM : MEHROZ K. PATHAN, J.

DATE : 10th NOVEMBER, 2025.

P.C. :-

1. The applicants are seeking their release on regular bail in connection with Crime No.322 of 2025 registered at Ashti Police Station, District Beed for the offences punishable under Sections 118(1), 118(2), 126(2), 352, 351(2), 351(3), 189(2), 191(2) of Bhartiya Nyaya Sanhita.

2. The prosecution story is that, on 30.6.2025, at about 11.00 a.m., accused No.1 and these applicants had come with JCB for digging a pit between their boundaries. Then the applicants started abusing them. After hearing the noise, his, mother, wife, brother, sister in law, and children gathered there. They tried to convince the accused but to no avail. Accused No.1 and 2 came with stone alongwith other accused. Accused Nos. 4 and 5 came with iron rod. Accused No.1 brought an axe and started assaulting the complainant. Accused No.1 assaulted the complainant with an axe and causing him injuries on left eye, cheek and lips. Then brother of complainant came there. Accused No.4 assaulted him with iron rod. Applicant No.1 pushed the daughter of the complainant on the side of gutter and threatened to kill them.

3. The learned counsel for the applicants submits that the other two accused No.1 Janabai and accused No.2 Meninath are already released by the learned Sessions Judge on bail even though they were attributed the role of assault by means of stone. He has produced the copy of the order granting anticipatory bail to those accused. The same are taken on record and marked "X" for the purpose of identification.

4. It is the submission of learned counsel for the applicants that the recovery of iron rods and wooden stick is also done by the I.O. after arrest of the applicant Kashinath, Ashok and Santosh Todkar, who are alleged to have used the said weapons to assault Ravindra Todkar and other injured witnesses. The submission, therefore, is that since the entire investigation is almost complete, the applicants may be released on bail as they are ready to cooperate with the investigation and attend the police station till filing of charge sheet.

5. As against this, learned APP submits that the offence being serious in nature the complainant Ravindra Todkar has received grievous injuries apart from the injuries caused to mother Janabai, Rupali, Pradip and Ravindra. He submits that applicants being neighbours of the complainant, there is every likelihood that the applicant may again commit a cognizable offence. Therefore, till filing of charge sheet, the applicants may not be released on bail.

6. I have gone through the investigation papers and FIR alongwith injury certificates made available by the learned APP. After going through the injury certificates, it is found that except Ravindra, all other injured persons have received only simple injuries. The weapons are already recovered by the Investigating Officer as can be seen from the Seizure Memo. The investigation papers also reveals that there was

another counter FIR being Crime No., 325 of 2025, filed by Kausalya, who is sister of applicant No.1 Kashinath, wherein, present complainant Ravindra is also an accused, who is alleged to have assaulted the complainant party by means of stone. Thus, looking to the counter allegations and also the fact that the investigation is almost complete, in my opinion, further detention of the applicants may not be necessary. The apprehension of the learned APP can very well be taken care of by imposing stringent conditions upon the applicants. Hence, I am inclined to exercise discretion in favour of the applicants under Section 483 of the Bhartiya Nyaya Sanhita for grant of regular bail. Hence, the following order :-

ORDER

[I] The application is allowed ;

[II] The applicants (1) Kashinath Rameshwar Todkar, (2) Ashok Parmeshwar Todkar and (3) Santosh Parmeshwar Todkar , be released on bail, on furnishing PB. and S.B. in the sum of Rs. 50,000, each in connection with Crime No. 322 of 2025 registered at Ashti Police Station, District Beed for the offences punishable under Sections 118(1), 118(2), 126(2), 352, 351(2), 351(3), 189(2), 191(2) of Bhartiya Nyaya Sanhita, on the following conditions :-

[I] The applicants shall not enter the village Mangrul, Taluka Ashti, Dist. Beed, till framing of charges.

[ii] The applicants shall not tamper with the prosecution evidence; and shall not influence the witnesses.

[iii] The applicants shall attend the Police Station Officer as and when called by him till filing of charge sheet.

[iv] The applicants shall attend the trial on each and every date, except in emergency case, they may seek exemption from the trial court.

[iv] The applicants shall furnish their Aadhar Card and Pan

Card alongwith their present address and phone numbers and addresses of the applicants' two near relatives to the I.O.

[v] The application is disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-