



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

BAIL APPLICATION NO.2030 OF 2025

1. RUPESH CHANDRAKANT KAMBLE
2. AJAJ SHAKIL SHEIKH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Amol Sawant
APP for Respondent : Mr. S. G. Sangale
...

CORAM : SACHIN S. DESHMUKH, J.
DATE : 09-12-2025

PER COURT:-

1. The applicants are seeking regular bail in connection with Crime No.14 of 2025 dated 02.02.2025 registered with Railway Police Station, Nandurbar, District Nandurbar, for the offences punishable under section 118(2), 118(1), 189, 191 and 103(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act. In connection with said crime, the applicants are arrested on 05.02.2025. After completion of the investigation, the chargesheet has been filed.

2. The informant has lodged the complaint alleging that the informant along with his family members boarded train at Bhusawal Railway Station to proceed towards Jodhpur. In the interregnum, on account of occupying a seat in general coach in the train, the quarrel between the informant and accused Vijay ensued.

3. When the train reached near Nandurbar railway station at about 4.00 p.m. accused Vijay called other accused persons at the said railway station and assaulted the informant and his family members with fist and kick blows. It is further alleged that accused No.2 Sunny @ Vishal inflicted the blow of knife over the leg and back of the Sumersing and Parbatsing. The further allegation is that accused No.7 Jaydeep was armed with wooden log with which inflicted the blows to complainant and other witnesses. On account of assault, the grievous injuries were suffered by Parbatsing and Sumersing and due to the same, succumbed to the grievous injuries. Initially, the first information report was lodged against the unknown persons.

4. The learned counsel for the applicants submits that there are general and sweeping allegations against the accused, Accused Jaydeep, who inflicted the blow, has been enlarged on bail by this Court vide order in Bail Application No.921 of 2025 dated 14.10.2025. Other accused person having similar roles have also been enlarged on bail by this Court, vide order in Bail Application No.1042 of 2025 dated 01.10.2025. It is further submitted that the investigation is completed and the chargesheet is filed. As such, the applicants have claimed parity and requested to be enlarged on bail.

5. The learned A.P.P. has opposed the application and submitted

that there is overwhelming material on record indicating the complicity of the present applicants in the incident. The gravity of the offence can be gathered due to the blow of knife which has resulted into death. Moreover, the threat at the instance of accused persons of throwing the informant out of the running train. The accused persons are identified in the test identification parade. Considering the serious nature of offence, prayed for rejection of the application.

6. Upon considering the submissions of both the sides and perusing the allegations, *prima facie*, are general as against the present applicants of beating the injured in the train. The recovery at the instance of accused persons has been carried out by the Investigating agency. As such, nothing is to be recovered at the instance of these applicants. Nevertheless, the applicants are also entitled for bail on the principle of parity in view of aforesaid orders of this Court. Therefore, the applicants are entitled for bail by imposing stringent conditions.

7. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicants No. (1) Rupesh Chandrakant Kamble and (2) Ajaj Shakil Sheikh be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each, with one

solvent surety of the like amount in Crime No.14 of 2025 dated 02.02.2025 registered with Railway Police Station, Nandurbar, District Nandurbar, for the offences punishable under section 118(2), 118(1), 189, 191 and 103(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act, on the conditions that;

- (a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicants shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicants shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicants, 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.

[SACHIN S. DESHMUKH]
JUDGE