



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2427 OF 2025

MUKESH ALIAS RANA PRAKASH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Abhinay D. Khot
APP for Respondents-State : Mr. S. G. Sangale

WITH
BAIL APPLICATION NO. 2068 OF 2025

SANJAY PRAKASH RAJPUT ALIAS PAPPU
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Abhinay D. Khot
APP for Respondents-State : Mr. S. G. Sangale

WITH
BAIL APPLICATION NO. 2069 OF 2025

SUNIL DNYANESHWAR RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gandhe Yogeshwar Vinayak
APP for Respondents-State : Mr. S. G. Sangale

CORAM : SACHIN S. DESHMUKH, J.

Date : 19th December, 2025

ORDER :-

1. The applicants have approached this Court seeking regular bail in connection with FIR dated 11.08.2025 bearing Crime

No. 496 of 2025 registered with Nandurbar City Police Station, for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

2. The prosecution case is that the victim, Mohit, suffered from hemophilia, a condition known to the accused. According to the informant, on 04.08.2025 at 5:30 pm, he was standing at Siddhivinayak Square with his uncle, Madan Rajput, Mohit, and Yogesh. At that time, Sunil Rathod and Aniket Kuwar approached them to question the placement of a banner. Madan Rajput explained that they were all residents of the same lane and informed the accused that he was putting up a banner for the "Vayuputra Vyayam Shala."

3. It is further case of the prosecution that the accused persons then escalated the dispute over the banner and threatened the informant and his companions with dire consequences to their lives. Thereafter, at approximately 8:20 p.m., Mohit left his residence, stating that he was going to Siddhivinayak Square to perform Aarti at the Mahadev temple. Thereafter, the informant received information that several miscreants were assaulting Mohit. He immediately proceeded to the spot along with his uncle and his brother, Nilesh. Upon arrival, they observed a crowd gathered at

the scene and found Mohit in a visibly terrified state.

4. The prosecution further alleges that Mohit was immediately taken to his uncle's house, where he was questioned about the incident. Mohit explained that while he was on his way to the Aarti at 8:00 p.m., Sunil Rathod, Mukesh alias Rana Rajput, Sanjay Rajput alias Pappu Talwar, Yashvardhan Lule alias Munna Marathe and Aniket Tawar had conspired to intercept him and demanded to go to Siddhivinayak Square. Having reached there, Mukesh Rajput aggressively questioned Mohit as to why he was mentioning his name and that of Dipak Dighe. When Mohit objected to their tone and questioning, the group became incensed. They encircled him and began assaulting him with kicks and fist blows.

5. The prosecution further alleges that the accused knocked Mohit down and struck his head against the ground. Mohit managed to extricate himself from their grasp and accompanied by others, proceeded to the Police Station to report the incident. However, Sunil Rathod arrived at the Police Station and threatened the group with dire consequences, in the event of filing the complaint. Due to intimidation, the group refrained from lodging a report at that time.

6. The prosecution case is that thereafter, on 06.08.2025, Mohit suffered headache and giddiness. He was immediately taken to the hospital of Dr. Patel. Thereafter, on 08.08.2025 at 1.00 a.m. the Mohit vomited blood. According to the prosecution, Mohit suffered a brain hemorrhage and was transferred to the New Civil Hospital in Surat for further treatment. Despite these efforts, Mohit's condition remained critical and was declared dead by the attending doctor on 11.08.2025 at 7:30 pm.

7. Consequently, a report was lodged bearing Crime No. 496/2025 at the City Police Station, Nandurbar. The case was registered for offences punishable under Section 103(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

8. The learned counsel for the applicants submits that the record is bereft of any material connecting the applicants to the alleged offence. It is contended that there is no cogent evidence to demonstrate that the death was a consequence of the alleged incident; rather, the deceased suffered from a pre-existing brain-related ailments and chronic headaches which resulted in his demise. In fact, the deceased was initially hospitalized for the

treatment of Hemophilia, and as the death arose from these underlying medical complications, the applicants cannot be held liable for the same.

9. The learned counsel further submits that the investigation is complete and the charge sheet is filed to that effect. The applicants have been incarcerated for more than four months, and contending that continued detention serves no further fruitful purpose, prayed for the application to be allowed.

10. Per contra, the learned APP submits that the gravity of the offense is severe and contended that the record indicates sufficient material to establish the complicity of the applicants. It is contended that statements recorded during the investigation clearly implicate the applicants in the assault leading to the victim's death. Furthermore, the prosecution expressed apprehension that the applicants, if enlarged on bail, may tamper with evidence; hence, prayed that the application be rejected.

11. Upon considering the rival submissions and perusing the material on record, including the charge-sheet, it *prima facie* appears that the deceased had a pre-existing medical condition of

hemophilia. Notably, the statement of treating doctor regarding treatment administered on 05.08.2025 pertains to a leg injury (twist in the leg) rather than a head injury resulting from an assault. This discrepancy prima facie, raises a significant question regarding the direct nexus between the applicants' alleged actions and the cause of death of the deceased.

12. The investigation is complete for all intent and purpose and resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

13. Thus, in the light of the aforesaid aspects and considering the incarceration of the applicant pending trial, the further detention is unjustified. The applicant does not have any criminal antecedents and can be enlarged on bail. The apprehension of learned APP about tampering the prosecution evidence, can be adequately taken care of by imposing stringent conditions.

14. Hence, the following order :-

ORDER

- (I) Applications are **allowed**.
- (II) Applicants – Mukesh @ Rana Prakash Rajput, Sunil Dnyaneshwar Rathod, Aniket Dnyaneshwar Kuwar, Sanjay Prakash Rajput @ Pappu 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. 496 of 2025 registered with Nandurbar City Police Station, for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, on the following conditions :-
- (a) The applicants shall attend each and every date of the Trial Court, unless exempted by the Trial Court.
 - (b) The applicants shall attend the concerned Police Station as and when called by Investigating Officer.
 - (c) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicants shall submit their Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
 - (e) 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 states 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, J.)

Omkar Joshi