

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2079 OF 2025

1. Chimanrao Rajendra Alias Ravindra Gopal
2. Rajesh @ Bablu Mangalsingh @ Mangal Gopal
3. Ajay Anil Gopal @ Aja Pahelwan ..Applicants

VERSUS

1. The State Of Maharashtra
2. The Investigating Officer
MIDC Police Station, Jalgaon ..Respondent

WITH

BAIL APPLICATION NO. 2081 OF 2025

Roham @ Shivam Kailas Tele ..Applicant

VERSUS

1. The State Of Maharashtra
2. The Investigating Officer
MIDC Police Station, Jalgaon ..Respondents

WITH

BAIL APPLICATION NO. 2082 OF 2025

Amol Namdev Gopal ..Applicant

VERSUS

1. The State Of Maharashtra
2. The Investigating Officer
MIDC Police Station, Jalgaon ..Respondents

...

Advocate for Applicants : Mr. Patil Jitendra Vijay
APP for Respondent/State : Ms. R.R. Tandale

AND

BAIL APPLICATION NO. 2118 OF 2025

Somnath Suresh Mahajan ..Applicant

VERSUS

The State Of Maharashtra

..Respondent

**WITH
BAIL APPLICATION NO. 2117 OF 2025**

1. Dinesh Babulal Gopal

2. Rahul Nakul Gopal

..Applicants

VERSUS

The State Of Maharashtra

..Respondent

...

Advocate for Applicants : Mr. Harshal Prakash Randhir
APP for Respondent/State : Ms. R.R. Tandale

...

CORAM : MEHROZ K. PATHAN, J.**DATED : NOVEMBER 26, 2025****PER COURT :**

1. Since all the matters arise out of the same crime, they are heard and decided together.

2. Heard, the respective counsels in above applications.

3. The applicants have approached this Court seeking regular bail in Crime No.664/2025 registered with MIDC Police Station, District Jalgaon for the offences punishable under Sections 352, 333, 326(g), 326(f), 324(5), 324(4), 191(3), 191(2), 190, 118(1), 115(2), 189(2) of Bharatiya Nyaya Sanhita, 2023.

4. The case of the prosecution is that On 14.09.2025, a sudden quarrel took place between two groups armed with sticks. One group comprised of Samadhan Hilal Gopal and Eknath Nimba

Gopal, while the other consisted of Rohidas Kashinath Patil, Dnyaneshwar Kashinath Patil, Karan Patil, and Hitesh Patil. During the said quarrel, Eknath Nimba Gopal sustained grievous injuries and subsequently succumbed to death. Consequently, an F.I.R. came to be registered against Rohidas and others mentioned above, in which the informant's son is also arrayed as one of the accused.

5. It is further case of the prosecution that, on 15.09.2025, at about 2.00 pm. the dead body of Eknath Nimba Gopal was brought for the last rites in the village. At that time, the relatives of deceased Eknath Nimba Gopal attacked informant's house with sticks, stones & petrol. It is alleged that they formed the unlawful assembly and tried to set the house of informant on fire by burning the mattress. Some people in the mob poured petrol on his motorcycle of Honda-Shine company having registration No. MH-19-DW-1143 which was parked outside the house and set it on fire. At the same time, the police stationed in the village rushed to disperse the mob. The informant further alleged that the said mob has also set the house of Rohidas Kashinath Patil, Devidas Kashinath Patil on fire and entered into their houses and vandalized the doors and windows of their house with stones and wooden sticks. The mob entered the house and destroyed the household items. The said mob has entered into the house of one Dnyaneshwar Kashinath Patil and set fire to refrigerator & has also set on fire his luna bike having registration number MH-19-DN-2942.

Thereafter, the said mob also caused damage to the house of Dnyaneshwar Ananda Patil, Balu Prakash Patil, Pravin Subhash Patil, Ishwar Jeevan Patil and also damaged the household items and vandalized the tractor of Rohidas Kashinath Patil, motor cycle and goods vehicle which was standing in the courtyard and in the street. The mob also vandalized the motorcycle of Dnyaneshwar Ananda Patil and Balu Prakash Patil, as well as Maruti Swift Dzire car owned by Pravin Subhash Patil by throwing stones at it. Later, the mob got dispersed on seeing the police. Therefore, complaint came to be registered against the all the applicants above-mentioned and other 20-25 unknown persons

6. In so far as the applicants in Bail Application No.2079 of 2025 is concerned, Applicants, Chimanrao, Rajesh @ Bablu and Ajay are before this Court with the submission that the present incident dated 15.09.2025 is a fall out of the earlier incident dated 14.09.2025, wherein the son of the present complainant Ratilal was one of the main accused for committing murder of Eknath Nimba Gopal, relative of the accused persons in present applications. It is their submission that even though they have been named to be the members of the unlawful assembly, which has gathered there with a common object of assaulting the complainant and causing damage to the household articles as well as the vehicles standing in front of the house of the complainant. As they are arrested since 18.09.2025 and

the investigation is almost complete, they may be released on bail, as they are ready to abide by any conditions that may be imposed by this Court.

7. In so far as the applicants in Bail Application Nos.2081 of 2025, 2117 of 2025 and 2118 of 2025 are concerned, Applicants, Roham, Somnath, Dinesh and Rahul are before this Court with the submission that they are also alleged to be the members of the unlawful assembly which are charged for the offence of rioting, however, there is no recovery at the instance of accused Roham, Rahul and Dinesh. The accused Somnath was not even named in the F.I.R. However, still as the applicants are arrested on 19.09.2025 and the investigation is almost complete and the statements of the witnesses have also been recorded, they may be released on bail, as they are ready to abide by any conditions that may be imposed by this Court and also considering the fact that they have no criminal antecedents, there is no likelihood of they again getting indulged into any offence.

8. In so far as the applicant in Bail Application No.2082 of 2025 is concerned, the applicant Amol is also before this Court seeking regular bail in the aforesaid crime with a submission that he was arrested on 25.09.2025 only on the statement of one of the co-accused recorded during the course of investigation by the police authorities. Against him also, there is no recovery and also no

criminal antecedents to his discredit and there is no likelihood of he again committing the offence of like nature and that he is ready to abide by any conditions imposed by this Court.

9. As against this, Ms. Tandale, the learned APP has vehemently opposed the application on the ground that the applicants in all the applications were part of the unlawful assembly of 25 to 30 persons, who have ransacked the house of the complainant and also the vehicles standing there. She further submits that there were attempts made by the applicants to even burn the house of the complainant and in fact, one motorcycle, a vehicle Luna and tractor was also put to fire by the present applicants, who had gathered there to take revenge of killing of one Eknath Nimba Gopal, relative of the applicants allegedly by the son of the complainant. The investigation though is almost complete, however, charge-sheet is not yet filed. She further submits that the applicants being residents of nearby village, there is every likelihood that the applicants may again indulge into the offence of like nature and thereby causing disturbance to the peace and tranquility of the villagers nearby. She, therefore, prays for rejection of the applications.

10. I have gone through the investigation papers as produced by the learned APP. Perusal of the investigation papers shows that the statements of all the relevant witnesses have already been recorded by the concerned investigating officer. The injury certificate collected

by the investigating officer shows that the complainant Ratilal has sustained only a simple injury. The allegations against all the applicants are general in nature and there is no specific attribution of any overt act as regards each of the applicants. Even though the charges of unlawful assembly are invoked, the fact that the investigation is already complete, no fruitful purpose would be served by keeping the applicants in further detention. The charges of framing an unlawful assembly and committing riot and mischief by fire are to be proved during the course of trial, by leading evidence. The investigating officer has also recovered a wooden stick from applicants Chimanrao and Ajay and nothing remains to be recovered as against all the applicants now, and also taking into consideration that the applicants does not have any criminal antecedents, I am inclined to release the applicants on regular bail. The apprehension of the learned APP can be allayed by imposing stringent conditions upon the applicants of not entering the concerned Taluka, till framing of the charge. Hence, the following order :

ORDER

- (i) All Bail Applications are allowed.
- (ii) The Applicants, in all the applications mentioned above, be released on regular bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) each with one or two solvent sureties in the like amount each, in connection with Crime No.664/2025 registered

with MIDC Police Station, District Jalgaon for the offences punishable under Sections 352, 333, 326(g), 326(f), 324(5), 324(4), 191(3), 191(2), 190, 118(1), 115(2), 189(2) of Bharatiya Nyaya Sanhita, 2023, on the following conditions :

- (a) The Applicants shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.
- (b) The Applicants shall not enter Taluka Jalgaon till framing of the charge, except for attending the police station on every Saturday between 11.00 a.m. to 02.00 p.m.
- (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 Cards to the Investigating Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
- (e) Single violation of the conditions on the part of the applicants would entitle the prosecution to seek cancellation of bail.
- (f) All Bail Applications stand disposed of.

(MEHROZ K. PATHAN, J.)