



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2108 OF 2025

DATTATRAY S/O. RANGNATH JAGTAP
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant : Mr. Ashok Dinkar Raut
APP for the respondent – State : Mr. S.G. Sangle
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 11 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 272 of 2025 dated 07.07.2025 registered with Mukundwadi Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 109, 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The incident, on account of the dispute between the wards of tender age of the complainant and the victim has taken place pursuant to which the cross-complaints were filed against each other. The complaint under section 109, 115(2), 352 and section 3(5) of the Bharatiya Nyaya Sanhita, 2023, is lodged against the present applicant on account of the assault by knife by the applicant to the victim, in relation to which the applicant is arrested.

3. Learned counsel for the applicant submits that the dispute is on account of the dispute between the wards of tender age. There was no motive or pre-meditation on the part of the applicant and the incident has occurred at the spur of the moment. The victim has been now discharged from the hospital, therefore, further incarceration of the applicant is not necessary. Learned counsel also prays that the applicant may be put to stringent conditions so as to ensure his presence for the trial and he will not tamper with the prosecution evidence in any manner.

4. Per contra, learned APP has vehemently opposed the application, submitting that the applicant has indulged into a serious act and in the process, has inflicted blow with the knife on the victim, may be, on trifling reason, but in any case, the blow was on vital part which was with pre-meditation, as such, dis-entitles the applicant to seek bail.

5. Prima facie, considering the fact that there was no prelude and it was on account of dispute between the kids of tender age, as such, there was no pre-meditation or motive on the part of the applicant. In any case, the investigation is completed, the recovery of the weapon used in the alleged incident, is also effected, as such, no fruitful purpose would be served by continuing the incarceration of the applicant. Necessary care can be taken by imposing stringent

conditions to ensure that in no manner, the applicant would influence the prosecution witnesses. Since the complainant and applicant are residing in same area, it would be appropriate to direct that the applicant shall not enter the area till the framing of the charge, so as to avoid influence to the prosecution witness in any manner.

6. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

II) Applicant – Dattatray Rangnath Jagtap, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 272 of 2025 dated 07.07.2025 registered with Mukundwadi Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 109, 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) After his release from jail, the applicant shall report to the concerned Police Station till framing of the charge.
- (b) Applicant shall not enter the premises where the complainant is residing till the framing of the charge.
- (c) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.

- (d) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment, if he does so, it will entitle the prosecution to apply for cancellation of this order.
- (e) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (f) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (g) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (h) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

[SACHIN S. DESHMUKH]
JUDGE

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