



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2137 OF 2025

SADASHIV PANDURANG KALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicants : Mr. R. V. Gore
APP for Respondent-State : Mr. S. G. Sangale

CORAM : SACHIN S. DESHMUKH, J.

Date : 8th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 06.05.2025 bearing Crime No. 338 of 2025 registered with Bidkin Police Station, for the offences punishable under Sections 189(2), 191(1), 191(20), 191(3), 190, 109, 74, 75, 76, 329(3), 115(2), 118(1), 118(2), 352, 351(3) of the Bharatiya Nyaya Sanhita.

2. The prosecution case in brief is that on 06.06.2025 at about 8.00 am, the applicants / accused No. 1 to 3 alongwith other co-accused forming unlawful assembly, assaulted the informant and witnesses by means of iron and wooden rods on account of a land dispute. As such, the informant lodged the FIR on 16.06.2025.

3. The learned counsel for applicants submits that the applicants have been falsely implicated in the case as a counter to the FIR is lodged by present applicant No. 3. The alleged incident has arisen on account of a civil dispute. No specific role is attributed against the present applicants. Applicants No. 1 and 2 were arrested on 18.06.2025, whereas the applicant No. 3 was arrested on 19.06.2025. The charge-sheet is filed, however, the trial is yet to commence. It is further submitted that the other co-accused in the alleged offense are enlarged on bail by this Court. Hence, prayed to allow the application on the ground of parity.

4. Per contra, the learned APP has invited the attention of this Court to the Injury Certificates of the victims and submits that the victims have sustained injuries, corresponding to the overt act of the accused persons. Further submits that the crime is serious in nature and there is sufficient material indicating the complicity of the applicants. Hence, prayed to reject the application.

5. Perusal of the FIR indicates that the complaint is lodged against several persons and general allegations are leveled against all the accused persons. Apart from same, no specific role is attributed to the present applicants.

6. Moreover, the other accused in the alleged offences have been already released on bail by this Court (Coram: Arun R Pedneker) vide order dated 08.08.2025. As such, the present applicants, who are situated on the similar footing as that of the co-accused and are entitled for bail on the ground of parity.

7. The investigation of the case is completed and the charge-sheet has been filed. The alleged weapon and other articles in connection with crime have been recovered by the Investigating agency. Hence, nothing remains to be recovered or discovered at the instance of the Applicant.

8. Thus, no fruitful purpose would be served by keeping the applicant behind the bar and can be enlarged on bail by imposing stringent conditions.

9. Hence, the following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicants – No. 1 Sadashiv Pandurang Kale, No. 2 Pritam Sadashiv Kale and No. 3 Kausabai Sadashiv Kale 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. 338 of 2025 registered with Bidkin Police Station, for the offences punishable

under Sections 189(2), 191(1), 191(2), 191(3), 190, 109, 74, 75, 76, 329(3), 115(2), 118(1), 118(2), 352, 351(3) 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 not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (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.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi