



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

BAIL APPLICATION NO. 2194 OF 2025

ISHWAR RAJU CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Datta S. Kale
APP for Respondent : Mr. S. M. Ganachari
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 04-12-2025

PER COURT:-

1. The applicant seeks bail in Crime No.0398 of 2025 registered with Cantonment Police Station, Taluka and District Aurangabad, for the offences punishable under Sections 115(2), 118(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. Heard the learned counsel for the applicant, the learned A.P.P. for respondent. Perused the chargesheet made available.
3. The prosecution case is that on 20.09.2025, the informant was returning home on his motorcycle. At that time, on the count of blowing the horn, the applicant abused the informant in filthy language and assaulted him by slaps. Thereafter, co-accused Suraj @ Jaykant had given a blow of knife at his forehead and injured him, whereas applicant and co-accused Sachin assaulted

had hit at his rear side of the head. Further, they had beaten the injured by wooden stick/log. The injured was eventually rescued by his uncle and his brother and taken to GHATI Hospital for medical treatment.

4. Learned counsel for the applicant submits that the informant has narrated a false incident. The applicant is falsely implicated in the case and there is no corresponding injury suffered by the injured by the act of present applicant. Investigation of the crime is already completed and nothing remains to be recovered from the applicant. Hence, further custody of the applicant is not warranted.

5. Learned A.P.P. submits that the applicant was arrested of the offence of stabbing and causing grievous hurt by inviting attention to injury certificate. The said incident took place on trivial issue of blowing of horn. The applicant will tamper with the prosecution witnesses. Hence, prayed to reject the application.

6. Considering the allegations against the applicant and material evidence on record, *prima facie* it appears that principally the allegations levelled against the accused Suraj @ Jaykant, who has allegedly hit the blow of knife on the forehead of the informant whereas the present applicant alleged to have used wooden stick. The report indicates that the injured victim has not suffered the injuries corresponding to the alleged act of present applicant.

Further nothing remains to be recovered at the hands of applicant. In that view of the matter, further custodial interrogation of the applicant would be unjustified.

7. Hence, the following order

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant - Ishwar Raju Chavan be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses till conclusion of the trial.
 - (b) The applicant shall remain present on each date during trial unless exempted by the trial Court.
- (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]
JUDGE