



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

BAIL APPLICATION NO. 2334 OF 2025

SUNIL SHESHRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Prashant P. Giri
APP for Respondent : Mr. S. M. Ganachari
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 05-12-2025

PER COURT:-

1. The applicant is seeking bail in connection with Crime No.0581 of 2025, dated 10.10.2025, registered with Vaijapur Police Station, Taluka Vaijapur, District Aurangabad, for the offences punishable under Sections 309(4), 309(6), 234(4) of the Bhartiya Nyaya Sanhita, 2023 (392, 394, 407 of the Indian Penal Code).

2. It is alleged in the first information report that on 07.10.2025 at about 10.00 p.m. the informant was proceeding from Mumbai to Raipur on Samriddhi Highway in his truck. When he reached near Chainage No.479, the truck met with an accident. The informant along with his son and others, were sitting in the cabin of the said truck and were waiting for the crane.

On 09.10.2025, at about 2.00 a.m., four unknown persons alighted from Ertiga car and assaulted the informant and others

with an iron rod and demanded the informant for key of the truck. Upon refusal, one of the accused broke the front glass of the truck with an iron rod. The another two accused caught hold of the informant and while other co-accused assaulted the informant by iron and wooden rod causing injury to his eye. The accused robbed the amount of Rs.30,000/- from the informant and, thereafter, all the accused fled away.

3. Learned counsel for the applicant submits that during the investigation, the applicant and other three co-accused have been arrested on the basis of suspicion. There is no specific role attributed against the applicant. The applicant is a young and *sole* bread winner of his family. The applicant is behind the bars since 10.10.2025. The investigation is completed and the chargesheet is filed. Hence, prayed to allow the application.

4. Learned A.P.P. has vehemently opposed the application pointing out that the other co-accused are identified and the applicant had accompanied them. The offence is serious. The accused assaulted the injured and caused grievous injuries to the eye of the injured. Hence, the applicant may not be released on bail.

5. Perusal of the record and the chargesheet *prima facie* indicates that there is delay in lodging the first information report. No specific act is attributed against the applicant and no criminal

antecedents as against the present applicant. Even the test identification parade is not conducted. The applicant is in custody more than sixty days. Further, the investigation is completed and the chargesheet has been filed. The apprehension expressed by the learned A.P.P. in relation to tampering of prosecution evidence can be taken care of, by imposing stringent conditions.

6. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant Sunil Sheshrao Chavan be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in Crime No.0581 of 2025, dated 10.10.2025, registered with Vaijapur Police Station, Taluka Vaijapur, District Aurangabad, for the offences punishable under Sections 309(4), 309(6), 234(4) of the Bhartiya Nyaya Sanhita, 2023 (392, 394, 407 of the Indian Penal Code), on the conditions that,
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

- (d) 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 state that the observations rendered herein are restricted to the extent of this application and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE

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