



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2099 OF 2025

Kiran Keshav Chapte

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....

Advocate for Applicant : Mr. Rahul Pandhari Cheble

APP for Respondents: Mr. A.A.A Khan

CORAM : MEHROZ K. PATHAN, J.

DATE : 16TH DECEMBER, 2025.

P.C. :-

The appicant has aproached this Court seeking anticipatory bail in connection with Crime No. 0424 of 22025 registered with Shivaji Nagar Police Station, District Latur, for the offences punishable under Sections 109-1, 189-2, 189-4, 190, 191-3, 324-4, 352, 351-3 of the Bharatiya Nyaya Sanhita.

2. On 22.10.2025 at about 7.30 hours, the informant Sumit Suryawanshi was standing at the bus stand of his village. At that time the accused No.1, Vishnu Gaikwad gave him cut by his black coloured Verna car. When he objected for the same, at that time the accused No. 1 Vishnu abused him and threatened to kill him. However, the informant Sumit ignored the accused.

ii) Thereafter, on 26th October 2025 at about 9.30 p.m. the accused 1 Vishnu Gaikwad made call on the informant mobile phone and asked the informant that he wants to meet him at Vishwa Travels office, Latur. Hence, after closing of informant's shop, he along-with his friend

Sanjot Chavan went there by his friend's car bearing No.MH-24 AW-1998. At that time accused No.1 Vishnu Gaikwad armed with wooden bamboo in his hand, accused No.2 Imran Shaikh having iron rod, accused No. 3 Anand Dhaware having stone, accused 4 Kishor Kamble having belt along-with present applicant/accused 5 Kiran and accused 6 Shantanu Dighole were seen there waiting for him. As soon as the informant and his friend reached there, accused No. 1 Vishnu gave a blow by bamboo at informant's head. While trying to save him his left hand got injured. At that time accused No. 2 Imran Shaikh inflicted blow by iron rod on his back. When the informant's friend Sanjot came for rescue, accused No.2 Imran Shaikh beat him by iron rod and accused No. 3 Anand Dhaware pelted stone on the head of Sanjot due to which he became unconscious. Accordingly, the FIR came to be lodged.

3. The learned counsel for the applicant submits that perusal of the FIR would show that the applicant has been attributed only role of assaulting the complainant with fists and kick blows and the applicant is not alleged to have used any dangerous weapons. Thus, custodial interrogation of the applicant is not necessary. The applicant does not have any criminal antecedents and he is ready to abide by any condition that may be imposed by this Court. The other co-accused who are attributed the role of assaulting the complainant by means of dangerous weapons are all arrested and hence, nothing remains to be recovered at the instance of the applicant. As such, the applicant may be released on bail.

4. As against this, learned APP vehemently opposes the application on the ground that the offences are serious in nature and are punishable with life imprisonment. Section 109 of the Bhartiya Nyaya Sanhita is invoked in this matter. The injured persons have sustained grievous injuries. The injured Sanjot Chavan is shown to have received

grievous injury in the injury certificate issued by the Sahyadri Multi-specialty hospital, Latur. Complainant Sunit has also received grievous injuries. Thus, though the applicant has been attributed role of assaulting the complainant with fist and kick blows, later on, it is revealed that the applicant has snatched iron rod from the accused Imran and assaulted the complainant. Thus, custodial interrogation of the applicant is necessary.

5. I have gone through the investigating papers made available by the learned APP. The investigation papers shows that accused Vishnu Gaikwad and Imran Shaikh, who have all been attributed major role in the assault are already arrested. The weapon, stone, belt and bamboo stick are already recovered and iron rod is yet to be recovered. Perusal of the say filed by the prosecution shows that the accused Imran has informed that the iron rod was used by Shantanu Dighole and was thereafter snatched and his friend took away that iron rod. Thus, taking into consideration the above submission of the prosecution in the trial court and say filed by the prosecution in the anticipatory bail application, there is a discrepancy about the role of the iron rod being snatched either by the applicant or other accused Shantanu Dighole. Be that as it may, the observations made hereinabove are prima-facie in nature and may not influence the trial court. However, Taking into consideration say filed by the prosecution, I am inclined to protect the applicant. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 0424 of 2025 registered with Shivaji Nagar Police Station, District Latur, for the offences punishable under Sections 109-1, 189-2, 189-4, 190, 191-3, 324-4, 352, 351-3 of the Bhartiya Nyaya Sanhita, the applicant Kiran Keshav Chapte, be released on bail on furnishing PR Bond in

the sum of Rs. 50,000/-, with one or more sureties in the like amount, on the following conditions :-

[i] The applicant shall attend the Shivajinagar police station, Dist. Latur and report to the Investigating Officer on every Monday and Tuesday between 11.00 a.m. to 1.00 p.m. till framing of charge.

[ii] The applicant shall not tamper with the prosecution evidence.

[iv] The applicant shall submit his Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of his near relatives.

[iv] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-