



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2366 OF 2024

1. Ramesh S/o. Karbhari Nawale,
Age : 34 years, Occu. : Agril.,

2. Sachin S/o. Maruti Nawale,
Age : 32 years, Occu. : Agril.,

Both R/o. Wambori Road,
Gunjale, Tq. Rahuri,
Dist. Ahmednagar.

... Applicants

(Orig. Accused No.4 and 5)

Versus

The State of Maharashtra,
Through the Police Station Officer,
Police Station Rahuri,
Dist. Ahmednagar.

... Respondent.

.....
Mr. Sanjay D. Kotkar, Advocate for Applicant
Mr. S. B. Narwade, APP for Respondent - State
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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 10 JANUARY, 2025

PRONOUNCED ON : 13 JANUARY, 2025

ORDER :

1. Both above applicants have applied for regular bail in Crime No.1218 of 2024 registered at Rahuri Police Station, Dist. Ahmednagar for offence punishable under sections 118(2), 352, 351(2), 189(2), 191(2), 191(3), 190 of The Bharatiya Nyaya Sanhita, 2023 (BNS) and under sections 37(1), 37(3), 135 of Bombay Police Act, 1951.

2. Learned counsel for applicants submits that, present applicants are shown as accused nos.4 and 5 and they are arrested on 27.11.2024. That, implication is in the backdrop of political rivalry i.e. since gram panchayat elections. That, there are allegations that, on 24.11.2024, five persons came armed with wooden rod and in the backdrop of previous disputes, assaulted informant and his family members. According to learned counsel, primarily allegations are against accused nos.1 to 3 i.e. Sanjay, Bhausahab and Magan. Accused no.1 Sanjay has already lodged complaint against present informant. Learned counsel pointed out that in the FIR by accused no.1, there is no reference of present applicants to be present there. That, reason of implication in present crime is the complaint filed with the Superintendent of Police, Ahmednagar on 27.07.2024. As nothing is shown to be recovered and discovered from applicants, learned counsel prays for grant of bail.

3. Learned APP, who opposed the above application, pointed out that, informant and his father were assaulted by five persons including present applicants, who had come together arms with heavy sticks and logs and had assaulted both father and son causing them various injuries. He pointed out that, statement of informant was recorded while he was admitted in the hospital. Learned counsel pointed out to the injury certificates and that they

both had suffered grievous as well as simple injuries on various parts. That, injury certificates are on record and as according to learned APP, investigation is in progress and charge-sheet has not been filed, he opposes the above application.

4. After considering the above submissions and on going through the papers, it seems that, on report of one Sonya @ Prasad Babasaheb Chendwal, above crime is registered regarding occurrence dated 24.11.2024. It is reported that, five persons including both applicants came armed with wooden logs to the house of informant and in the backdrop of previous disputes, assaulted informant and his parents and issued threats to kill. Injury certificates of both, informant and his father show that they have suffered grievous as well as simple injuries.

5. Considering the statement of learned APP that investigation still is in progress, taking the nature of accusations into consideration, this court is not inclined to grant relief at this stage.

6. The bail application stands rejected.

7. Liberty to move before trial court after filing of charge-sheet is granted.

(ABHAY S. WAGHWASE, J.)