



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2379 OF 2024

1. Narendra Shrikrushna Koli,
Age : 21 years, Occ. : Education,
2. Mahendra Shrikrushna Koli,
Age : 22 years, Occ. : Education,

Both R/o. Nardana, Taluka Shindkheda,
District Dhule.

... Applicants
[Orig. Accused Nos. 1&2]

versus

The State of Maharashtra

.....
Mr. Girish L. Awale, Advocate for the Applicants.
Mr. N. D. Batule, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 23.01.2025

ORDER :

1. Applicant seeks enlargement on regular bail as a result of his arrest in crime no. 257/2024 registered at Nardana Police Station, District Dhule for offences under Sections 109, 74, 115(2), 351(2), 324(4), 3(5) of the BNS.
2. Learned counsel for the applicants pointed out that above crime is registered at the instance of informant on report lodged on 03.12.2024 regarding incident taking place on 02.12.2024 regarding

applicant Narendra questioning informant as to why he stared at him and thereafter, Narendra's brother Mahendra was said to be called and then informant was caught by his collar and was being dragged out of the office and both brothers gave kicks and fist blows. It is alleged that applicant Mahendra took out a knife and issued threats to kill and gave knife blow but it was warded off causing injury near the left eye-lash. Learned counsel submitted that, apparently allegations as regards to present applicant Narendra are only of giving fist and kick blows. Injury certificate shows informant to have suffered simple injury. That, nothing is to be recovered at the instance of applicants and they being behind bars since 03.12.2024, learned counsel prays for grant of regular bail.

3. Learned APP, who opposed, pointed out that there are allegations of beating and use of knife on petty count. Learned counsel pointed to the site of injury suffered by informant, i.e. from the injury certificate. He further submitted that investigation is still incomplete.

4. Heard. Perused the papers. Crime seems to be registered for offence under above provisions by Nardana Police Station. From the FIR itself, it is apparent that as regards to applicant Narendra is

concerned, there are allegations of questioning for staring, summoning his brother and thereafter, both brothers dragging informant out of the office. Allegation of use of knife is though against applicant Mahendra, injury certificate produced by learned APP shows that injury suffered by informant is simple in nature. Taking the same into consideration, and when nothing further is shown to be recovered or discovered, no useful purpose would be served by further detention of the applicants. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicants Narendra Shrikrushna Koli, Mahendra Shrikrushna Koli, be released on bail in connection with Crime No. 257/2024 registered at Nardana Police Station, District Dhule, on executing Personal Bond of Rs. 15,000/- each with one surety each in the like amount.
- III. The applicants shall not tamper prosecution evidence.

[ABHAY S. WAGHWASE, J.]

vre