



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

937 BAIL APPLICATION NO. 576 OF 2025

Janardhan Uttam Jadhav

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Kulkarni Suvidh S.(Appointed Through Legal Aid)

APP for Respondents-State: Ms. P. V. Diggikar

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CORAM : ARUN R. PEDNEKER, J.

Dated : June 10, 2025.

PER COURT :-

1. Heard the learned Counsel for the applicant and the learned APP for the respondent-State.
2. The case of the prosecution against the applicant/accused is that he had strained relations with his parents, and on the night of 04/03/2024, he had a quarrel with them. During the said incident, the victim/informant, who is a neighbour, intervened. It is alleged that the applicant, being agitated by the intervention of the victim, assaulted him on the road after the quarrel with his parents. The applicant, in the heat of anger, is stated to have assaulted the victim with a knife. The incident was witnessed by persons present at the spot, and some of them also tried to intervene.
3. The victim was thereafter taken to the hospital, where he was treated for three days. The medical report states that the victim sustained a stab injury measuring 2 x 1 cm with sharp margins located on the lower chest and upper abdominal area. The injury is also accompanied by a fracture injury.
4. The learned Counsel for the applicant submits that the applicant has

been in custody since 05/03/2024 and has undergone incarceration for about 15 months. It is submitted that the injury suffered by the victim is a simple one, not sufficient in the ordinary course to cause death, and that there was no intention on the part of the applicant to kill the victim. The injury, though termed grievous, was caused due to the victim's intervention in a family dispute, and not out of any premeditated intent to commit murder.

5. The learned APP, on the other hand, opposes the application and submits that there is sufficient material against the applicant, including the testimony of the victim and other eyewitnesses. It is submitted that the offence is grave in nature and that a fracture injury has also been sustained by the victim. Hence, it is prayed that the application be dismissed.

6. Upon considering the rival submissions and perusal of the record, it is noted that the charge sheet has been filed. The nature of the injury, i.e., a single stab wound of 2 x 1 cm which include a fracture of Rib, is not such as would *prima facie* indicate any intention of the applicant to kill the victim. The applicant has already undergone incarceration for 15 months, and the trial is likely to take considerable time for completion. In view of the above, and the fact that the investigation is complete, this Court is inclined to grant regular bail to the applicant, subject to conditions.

7. It is also submitted by the learned Counsel for the applicant that the applicant undertakes not to enter the jurisdiction of Mukhed Police Station, except for attending the trial, and that he would reside outside the said jurisdiction. The said statement is accepted.

8. In view of the above, the application is allowed in the following terms : -

ORDER

(i) The applicant is directed to be released on bail in connection with Crime No.71 of 2024, registered with Mukhed Police Station, District Nanded, for the offences punishable under Sections 307, 324, 326, 504, 506 of the Indian Penal Code, on furnishing P.R. bond of Rs.25,000/- (Rupees Twenty-Five Thousand only) with one or more solvent sureties of the like amount.

(ii) The applicant shall not enter the jurisdiction of Mukhed Police Station til conclusion of trial, except for the purpose of attending Court proceedings.

(iii) The applicant shall not tamper with the prosecution witnesses or evidence and shall cooperate with the trial.

(iv) The applicant shall inform the Investigating Officer about his place of residence after release and shall not change the address without prior intimation to the Investigating Officer and the

concerned Court.

(v) The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10. The application stands disposed of.

11. The fees of the learned Advocate appointed through the High Court Legal Services Sub-Committee, Aurangabad, to represent the applicant is quantified at Rs.15,000/- (Rupees Fifteen Thousand only), to be paid by the said Committee.

(ARUN R. PEDNEKER, J.)

vj gawade/-.