



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 692 OF 2025

AVINASH MAHADEV SUDKE
VERSUS
THE STATE OF MAHARASHTRA

- ...
- Mr. S.S.Dargad, Advocate for Applicant
 - Mr. N. B. Patil, APP for Respondent-State
- ...

CORAM : ARUN R. PEDNEKER, J.

DATE : 20.06.2025

P.C. :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is seeking bail as he is arrested on 20.02.2025 in connection with Crime No.753 of 2024, registered with Hingoli City Police Station, District Hingoli for the offences punishable under Sections 109, 118(1), 115(2), 189(2), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023.

3. It is the prosecution case that on 01.11.2024 at about 9.00 p.m. while the complainant along with his family members were seated in the house, the son of his servant Balu Landge had been to them and informed them that Yogesh Sulke is beating his father. The complainant, along with his

family members, rushed to the spot to resolve the quarrel. At that time the accused name in the FIR were holding an iron rod, a sickle and an axe and assaulted the complainant and his family members intending to kill them. As such, the FIR is registered.

4. The learned counsel for the applicant submits that the FIR is registered on 06.11.2024 and thereafter, the applicant was arrested on 20.02.2025. There is delay of 5 days in lodging the present FIR. The applicant has filed Criminal Bail Application No.143/2025 before the Sessions Court and the same was rejected on 01.04.2025. He further submits that there is free fight between two groups. The brother of applicant has also registered FIR No.757/2024 on 07.11.2024, against the informant and other accused persons alleging that the informant and other accused persons have assaulted him and his brother and the applicant has also suffered injury and he was hospitalized from 01.11.2024 to 05.11.2024. He further submits that the complainant has sustained simple injuries. He further submits that co-accused have been granted bail by the Sessions Court. Considering the said fact, the bail application of the applicant be granted.

5. This Court, by order dated 18th June, 2025, had asked the APP to produce medical papers of the applicant in FIR No.757/2024 and medical paper shows that the applicant has also suffered three simple injuries and he was hospitalized for 5 days.

6. Considering that there are cross FIRs and that the applicant has also suffered injuries, so also, the investigation in the matter is complete and the applicant is in custody from 20.02.2025. In view of the same, the application is allowed in the following terms :

- a. The applicant shall be released on bail in connection with Crime No.753 of 2024, registered with Hingoli City Police Station, District Hingoli for the offences punishable under Sections 109, 118(1), 115(2), 189(2), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- b. The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- c. The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.
- d. The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e. 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.

7. 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.

8. The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

jhs/