



{1}

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

BAIL APPLICATION NO.818 OF 2025

Rohit S/o. Chandrakant Narwade,
Age: 20 years, Occu.: Education,
R/o. 34, Himayatnagar Siranjani,
Tq. Himayatnagar, Dist. Nanded.

... Applicant

VERSUS

The State of Maharashtra,
Through Police Station Himayatnagar,
Tq. Himayatnagar, Dist. Nanded.

... Respondent

.....
Mr. Gautam J. Pahilwan, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent No. State

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 06 MAY 2025

PER COURT :-

1. Present application is for grant of regular bail on account of arrest of the applicant in Crime No.0057 of 2025 registered at Himayatnagar Police Station, District Nanded for offences punishable under Sections 109, 115(2) r/w 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel for the applicant pointed out that, the applicant is arrested in above crime on 18.03.2025 on allegations of giving kicks and fists blows. That, allegations of

{2}

use of knife are directed against other co-accused. It is further submitted that, in view of the nature of allegations, there is no recovery or discovery is to be made. That, investigation is almost over and mere formality of filing charge-sheet has remained. As applicant is ready to abide all and any conditions imposed by this Court, bail is urged for.

3. Learned APP opposed on the ground that applicant is named in the FIR. That, serious offence of attempt to murder is committed. According to learned APP, through there are allegations of giving kicks and fist blows, investigation is still in progress. For all above reasons, learned APP opposes bail application.

4. Heard. Perused the papers. FIR dated 14.03.2025 is at the instance of one Pratap Sanjay Shinde. He has reported that on 12.03.2025, in the afternoon, when the informant was standing near temple, Bajrang Chittewad was came there and he suggested to just meet him and that he would see him. At around 08:00 p.m., it is alleged that Bajran Chittewad called him near the temple, and therefore, informant went with one Umesh Wankhede and Parvir Kauthekar on a motorcycle, and there it is alleged that, Rohit Narwade (present applicant),

{3}

Bajrang Chittewad and Swamp Yadgalwad were present there. It is further alleged that, he was assaulted by above persons. On above report, crime has been registered.

5. *Prima facie*, it is appearing from the FIR that, allegations against the present applicant Rohit are of giving slaps. Allegations of use of the knife is directed against non-applicant Bajrang. Therefore, taking the same into consideration, there is no overt act attributed to the applicant and no weapon used, and therefore obviously no recovery is to be caused from the applicant. Therefore, considering the nature of allegations, further investigation can be carried out by securing the presence of the applicant. Resultantly, relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

I. Bail Application is allowed.

II. Applicant be released on bail in connection with Crime No.0057 of 2025 registered at Himayatnagar Police Station, District Nanded, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

{4}

[b] The applicant shall not enter the vicinity where informant and his family members reside, till conclusion of trial.

[c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[d] The applicant shall attend the concerned police station thrice in every week i.e. on every Thursday and Saturday and Monday between 11.00 a.m. to 02.00 p.m. till committal of the case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane