



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 BAIL APPLICATION NO. 832 OF 2025

ARSHAD HANIF BAGWAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Rajebhosale Sandeep B.
APP for Respondent/State : Mr. D.J. Patil
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 26/06/2025

P.C. :

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are seeking bail as they were arrested in connection with Crime No. 95/2025 dated 5.4.2025 registered with Jinsi Police Station, Chh. Sambhajinagar for the offences punishable under sections 109, 117(2), 115(2), 351(2), 351(3), 189(2), 189(4), 191(3), 190 of B.N.S. 2023, sections 4 r/w. 25 of Arms Act and section 135 of Maharashtra Police Act.
3. The case of the prosecution is that the applicants along with other co-accused have formed unlawful assembly and in furtherance of common objective of the unlawful assembly committed the offence of riot. It is stated that informant himself is involved in the quarrel which was going on and informant was seriously assaulted by the applicants and other co-accused, who formed unlawful assembly. While informant was taking treatment in MGM Hospital, complaint was lodged by him. In pursuance of the complaint filed by the informant, the applicants were arrested on 6.4.2025 and since

then they were behind bars.

4. The learned counsel for the applicants submits that since 6.4.2025, the applicants are behind bars. Medical certificates of the injured persons are produced which shows that both the injured suffered simple injuries. The learned counsel further submits that applicants have not used any deadly weapon and no weapon is recovered at the instance of the applicants. The learned counsel, therefore, prays to release the applicants on regular bail.

5. The learned APP opposed the application on the ground that applicants were involved in the serious offence and investigation is not yet completed. The learned APP therefore prays for rejection of the application filed by the applicants for regular bail.

6. Considering that applicants are behind bars from 6.4.2025, investigation is almost completed, there is no statement of any witness stating that the applicants have used any deadly weapon and nothing is recovered at the instance of the applicants, I hold that no purpose would be served by keeping the applicants behind bars and regular bail can be granted to the applicants.

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

a] The applicants shall be released on bail in connection with Crime No. 95/2025 dated 5.4.2025 registered with Jinsi Police Station, Chh. Sambhajinagar for the offences punishable under sections 109, 117(2), 115(2), 351(2), 351(3), 189(2), 189(4), 191(3), 190 of B.N.S. 2023, sections 4 r/w. 25 of Arms Act and section 135 of Maharashtra Police Act, on furnishing PR bond of Rs.20,000/-, each, with one or two sureties in the like amount to the

satisfaction of the trial Court.

b] The applicants, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicants shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] The applicants 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 applicants, 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.

8. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled.

9. 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.

[ARUN R. PEDNEKER, J.]

SSC/