



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

913 BAIL APPLICATION NO. 863 OF 2025

**SANTOSH PRALHAD VAIDYA
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.D.M.Shinde
APP for Respondent-State : Mr.V.M.Jaware

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CORAM : ARUN R. PEDNEKER, J.

DATE : 19.06.2025

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 17.04.2025 in connection with Crime No. 65/2025, registered with Goregaon Police Station, District Hingoli, for the offence punishable under Sections 118 (2), 352, 351 (2) r/w. 3 (5) of the Bharatiya Nyaya Sanhita.

3] It is the case of the prosecution that on 03.03.2025 at 8.00 p.m. the accused nos. 1 and 2 were abusing the informant's brother namely Dilip by going in front of his house. When he went and asked the reason of abusing him, the accused no.2 Gajanan caught hold his both hands and accused no.1 Santosh assaulted on his head by

an axe. There was bleeding injury on head. Thereafter, he was taken in the Hospital. The victim is shown to receive grievous injury on the head by axe.

4] The learned counsel for the applicant submits that prior to present FIR, the applicant has registered FIR No.43/2025 on 09.03.2025, against the present informant, alleging that the informant has also assaulted the applicant by axe on his head and the applicant has sustained grievous injury.

5] The learned APP produced medical certificates of the applicant in FIR No.43/2025, which shows that the applicant has also sustained injury i.e. 2 x 1.5 c.m., so also, the medical certificate in the present FIR, which shows that the informant has also sustained injury.

6] There are cross FIR between the parties. Both the parties have suffered injuries on head by means of axe. The applicant is in custody from 17th April, 2025. Recovery is already made at the instance of the applicant. Investigation is complete. Considering this aspect of the matter, the applicant is granted bail. The application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 65/2025, registered with

Goregaon Police Station, District Hingoli, for the offence punishable under Sections 118 (2), 352, 351 (2) r/w. 3 (5) of the Bharatiya Nyaya Sanhita, 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 shall not enter the jurisdiction of concerned Police Station, during pendency of the trial.

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

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

e] 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.

f] 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

DDC