



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

955 BAIL APPLICATION NO. 950 OF 2025

Tukaram Bhaga Gore
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Sawant Amol Shivajirao
APP for Respondents-State: Mr. G. O. Wattamwar
...

CORAM : ARUN R. PEDNEKER, J.

Dated : June 12, 2025.

PER COURT :-

1. Heard the learned Counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in connection with FIR No.70/2025, registered with Nijampur Police Station, District Dhule, for the offences punishable under Sections 109(1), 118(2), 118(1), 333, 326(d), 326(f), 115(2), 189(2), 191(2), 191(3), 190, 352, 351(2) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 37(1), 37(3), and 135 of the Maharashtra Police Act.
3. The case of the prosecution is that, on 18/03/2025 at about 1:30 p.m., while the informant and his family members were in the courtyard of their house, accused Nos.1 to 17, including the present applicant, came to the informant's house armed with sticks, stones, iron pipe, sickle, and axe. It is alleged that due to some dispute between Balu and accused Tukaram regarding a JCB machine, the accused threatened to cut the hands and legs of the informant and his family members. When the informant's father Arjun

and others intervened, accused Deva and accused Macchindra assaulted Lahanu, Tukaram, and Krushnabai with an axe on their heads, causing bleeding injuries. When Arjun and Dashrath tried to intervene, they were also assaulted. Arjun is alleged to have sustained injuries to his hands and waist.

4. It is further stated that there are cross-FIRs in the matter, and accused No.7 has registered a complaint against the informant and his 12 family members. As far as the present applicant is concerned, it is alleged that he pelted stones at the informant's house and injured Arjun using a weapon, causing grievous injuries to his wrist.

5. The learned Counsel for the applicant submits that the FIR does not clearly narrate the specific role of the applicant in the incident. He further submits that the dispute arose between two groups due to profit sharing in the JCB business. The applicant is in custody since 21/03/2025 and no recovery is effected at his instance. It is also noted that accused Nos.4 to 9, 11 to 13, 15, and 17 are yet to be arrested.

6. Upon considering the rival submissions, it appears that the matter involves a group fight and the specific role of the applicant, though mentioned, cannot be conclusively ascertained at this stage. The investigation is stated to be nearly completed, and no recovery has been

made from the applicant. The applicant has been in custody since 21/03/2025. In view of these aspects and considering that the trial is likely to take time, the applicant deserves to be released on bail.

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

- a]** The applicant shall be released on bail in connection with FIR No.70/2025, registered with Nijampur Police Station, District Dhule, for the offences punishable under Sections 109(1), 118(2), 118(1), 333, 326(d), 326(f), 115(2), 189(2), 191(2), 191(3), 190, 352, 351(2) of the *Bharatiya Nyaya Sanhita, 2023*, and Sections 37(1), 37(3), and 135 of the Maharashtra Police Act, on furnishing a P.R. bond of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- b]** The applicant shall not, in any manner, contact or attempt to contact the informant during the pendency of the trial.
- c]** The applicant shall co-operate with the trial Court and attend all hearings unless exempted by the Court.
- d]** The applicant shall not tamper with the prosecution evidence or attempt to influence the informant, witnesses, or any person concerned with the case.
- e]** Upon release, the applicant shall furnish his current contact number and residential address before the trial Court and shall promptly notify any changes to the Court.

8. Needless to state, in case of violation of any of the above conditions, the bail granted to the applicant shall be liable to be cancelled. It is clarified that the observations made in this order are limited to the disposal of the present bail application. The trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.