

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 2162 OF 2025

Nayan Gautam More.

... Applicant.

Vs.

The State of Maharashtra.

... Respondent.

Mr. Arjun V. Lingalod, Advocate appointed for Applicant through legal aid.

Mr. P.H. Gaikwad, APP for Respondent-State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 23th JUNE, 2025.

P.C. :

1. Heard Mr. Arjun Lingalod, learned Advocate for the Applicant and Mr. P.H. Gaikwad, learned APP for Respondent-State.

2. By the present Application, the Applicant has sought for bail in Crime No. 152 of 2024, registered with Panchgani Police Station, Dist. Satara for offence punishable under Section 452, 324, 436, 326, 504, 506 of the Indian Penal Code.

3. Case of the prosecution is that on account of matrimonial discord between the Applicant and his wife, there was altercations

This order is corrected as per the speaking to the minutes of the order dated 30th June, 2025.

between the Applicant, the First Informant and other family members. Said altercations turned into a fight between the Applicant and other persons who are injured in the fight. Weapon used in the said assault by the Applicant is scissor. Applicant assaulted the injured with fists and blows and thereafter set the house of first informant on fire.

4. Applicant was arrested on 17th June, 2024 and since then he is in jail.

5. Mr. Arjun Lingalod, learned Advocate for the Applicant states that Crime No. 152 of 2024 is registered as Sessions Case No. 28 of 2024 and is pending on the file of the learned Additional Sessions Judge, Wai. Bail Application at Exh. 5 filed in Sessions Case No. 28 of 2024 was dismissed by the learned Additional Sessions Judge, Wai on 21st February, 2025.

6. Mr. Longalod, learned Advocate for the Applicant states that the Applicant has been falsely implicated in the crime. He submits that all witnesses which includes the injured are interested witnesses. He submits that there is delay in recording of the statements of some of the witnesses who are eye witnesses and

have been injured in the said incident.

7. Mr. Gaikwad, learned APP submits that the charge against the Applicant is serious in nature which include use of a weapon like scissor for assaulting his family members. He submits that motive of the Applicant in the said assault is more than clear from the use of the weapon like scissor and subsequent setting of the house of one of the witness on fire. He opposes the bail.

8. I have perused the record with the assistance of the learned Advocates for the parties.

9. Case of the prosecution is that the Applicant has assaulted the first informant and the other witnesses who are the family members of the Applicant by fists, blows and use of scissor. Medical certificate of the injured indicates that some of the injuries are grievous injuries.

10. There are three eye witnesses in the present crime who have all supported the case of the prosecution and have stated about the violent behaviour of the Applicant, which includes assault and setting the house of the first informant on fire. There is incriminating evidence against the Applicant and involvement of

the Applicant in the present case is prima facie established. Considering the gravity of the offence, this is not a case for grant of bail.

11. At this stage, Mr. Lingalod, learned Advocate for the Applicant submits that most of the witnesses are family members of the Applicant, as such he prays for liberty to file a fresh bail application before the learned Trial Court after examination of the main witnesses. Mr. Gaikwad, learned APP does not object to the said request.

12. Applicant is at liberty to file fresh bail application before the Trial Court after examination of the main witnesses in the said crime. In the event, any application is filed by the Applicant before the learned Trial Court, the same be considered on its own merits and in accordance with law.

13. Criminal Bail Application No. 2162 of 2025 is dismissed.

(ASHWIN D. BHOBE, J.)