

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

BAIL APPLICATION NO. 2522 OF 2025

Sumit alias Sonu Ravindra Khatikade .Applicant

Vs.

The State of Maharashtra .Respondent
(Through Trimbakeshwar Police Station)

Mr. Himanshu Gavit i/b. Mr. Yogesh Ugale, Advocates, for the Applicant
Dr. Ashwini A. Takalkar, APP, for the Respondent – State

CORAM : ASHWIN D. BHOBE, J.

DATE : 30.06.2025

P. C.

1. Heard Mr. Himanshu Gavit, learned Advocate for the Applicant and Dr. Ashwini Takalkar, learned APP for the Respondent – State.

2. By this Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking bail in connnection with C. R. No. I-09/2025 registered with the Trimbakeshwar Police Station, Nashik for the offences punishable under Sections 352, 351(3), 351(2), 324(4), 191(2), 190, 189(2), 118(2), 118(1) and 109 of the BNSS Act. C. R. No. I-09 of 2025 is registered as S. C. No. 182 of 2025 and is allotted to the Court of the learned Additional Sessions Judge, Nashik.

3. There are eight Accused in the said crime. Applicant is Accused

No. 1.

4. Case of the prosecution is that the Applicant along with the other seven Accused, which include four juveniles entered into an altercation with the Informant and thereafter, assaulted the Informant with dangerous weapons.

5. Accused Nos. 2, 3 & 4 in the said crime have been released on bail by the learned Additional Sessions Judge, Nashik. Accused Nos. 5, 6, 7 & 8 are juveniles and are being dealt under the Juvenile Justice (Care and Protection of Children) Act, 2015.

6. Applicant was arrested on 07.02.2025. Bail Application filed by the Applicant at Exh. 5 in S. C. No. 182 of 2015, was dismissed by the learned Additional Sessions Judge, Nashik on 20.05.2025.

7. Mr. Gavit, learned Advocate for the Applicant submits that the entire allegations against the Applicant is of abetment. He submits that the Charge-sheet neither indicates the involvement of the Applicant in the assault or the Applicant being present at the time of assault. He submits that as per the Charge-sheet, the assault on the Informant was by the Accused Nos. 5 to 8. He submits that investigation is complete and Charge-sheet is filed.

8. Dr. Ms. A. Takalkar, learned APP submits that the Applicant is the main Accused, as it is at the instance of the Applicant that all the Co-

accused were instigated to assault the Informant. She submits that the Applicant has three antecedents.

9. I have perused the records with the assistance of the Advocates.

10. Allegations against the Applicant are of abetment. As submitted by Mr. Gavit, the Charge-sheet does not indicate the Applicant having assaulted the Informant. Injuries as per the Medical Report at page No. 196 of the paper book indicate to be simple in nature. Accused Nos. 2, 3 & 4 have been released on bail whereas the other Accused who are alleged to have assaulted the Informant are juveniles. Investigation is complete and Charge-sheet is filed. Applicant is in jail since 07.02.2025.

11. Considering the nature of allegations against the Applicant and the other Accused being released on bail, the injuries caused to the Informant being simple in nature, investigation being complete, continuation of the Applicant in jail during the pendency of trial is not warranted.

12. The Applicant is, therefore, released on bail the following conditions.

(a) Applicant is directed to be released on bail in connection with C.R.No. I-09 of 2025 registered with the Trimbakeshwar Police Station, Nashik upon furnishing P. R. Bond in the sum of Rs. 25,000/- with one

or two sureties in the like amount, to the satisfaction of the learned Additional Sessions Judge, Nashik;

(b) Applicant shall not directly or indirectly make any inducement to any witnesses or the Informant;

(c) Applicant shall not tamper with the evidence;

(d) Applicant shall report to the Investigating Officer, Trimbakeshwar Police Station, Nashik on each and every date before the Trial Court in S. C. No. 182 of 2025, unless exempted;

(e) Applicant shall not enter the jurisdiction of the Trimbakeshwar Police Station, Nashik till examination of the Complainant.

13. Criminal Bail Application No. 2522 of 2025 is disposed off in the above said terms.

(ASHWIN D. BHOBE, J.)