

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2851 OF 2025

Pratik alias Rahul Vithal Dube ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

Ms. Namrata S. Bobade, Advocate for the Applicant.

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

H. V. Khomane-HC, Yavat Police Station Pune Rural.

CORAM : ASHWIN D. BHOBE, J.

DATE : 22nd JULY, 2025.

P.C. :

1. Heard Ms. Namrata S. Bobade, learned Advocate for the Applicant and Mr. P. H. Gaikwad, learned APP for the Respondent-State.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" for short), the Applicant is seeking regular bail in Crime No. 521 of 2025 registered with Yavat Police Station, for the offences punishable under Sections 110, 118(1) 189(2), 191(2), 191(3), 115(2), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. There are 5 accused persons in the present crime.

4. Case of the prosecution is that on 11th June, 2025 Sachin Appaso Gardade (Complainant), on a petty quarrel pertaining to parking of his vehicle in front of Renuka Loknatya Kala Kendra Boripardhi, Taluka Daund, was abused, threatened and assaulted by the accused. FIR was registered on 14th June, 2025.

5. Applicant was arrested on 14th June, 2025, since then, he is in jail. Criminal Bail Application No. 510 of 2025 filed by the Applicant was rejected by Additional Sessions Judge, Baramati, by order dated 1st July, 2025.

6. Ms. Namrata S. Bobade, learned Advocate for the Applicant, submits that FIR in the present crime was lodged after 3 days of the offence. She submits that the Complainant in his complaint has named the accused and has assigned distinct roles to the accused, who have assaulted and abused him. By relying on FIR she submits that apart from the presence of the Applicant at the time of incident, no role is assigned to the Applicant. She submits that before the expiry of the police custody period, the prosecution sought for judicial custody of the Applicant. She submits that the Applicant is in jail for almost two months. She submits that the Applicant does not have any criminal antecedents.

7. Mr. P. H. Gaikwad, learned APP for the State, submits that the investigation in the present crime is ongoing and the charge-sheet is expected to be filed within two weeks from today. He submits that an innocent complainant was abused and assaulted

by the accused for no rhyme or reason.

8. Perused the record with the assistance of the learned Advocates for the parties.

9. FIR filed in the crime was registered 3 days after the offence. Complainant has specifically named the accused and further has assigned distinct and independent role to the accused. As far as the Applicant is concerned, apart from his presence on the date of the incident, the FIR does not indicate any specific role being assigned to the Applicant. Applicant is not the assailant in the said crime. In such circumstances and considering the Applicant having no criminal antecedents, the Applicant would be entitled to bail.

10. In view of the above, the present Bail Application is allowed on the following conditions :-

(a) Applicants is directed to be released on bail in connection with Crime No. 521 of 2025, registered with Yavat Police Station Dist. Pune, upon furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties each in the like amount, to the satisfaction of the Judicial Magistrate First Class, Daund District-Pune.

(b) Applicant shall report to the Investigation Officer, Yavat Police Station, Dist. Pune twice a week i.e. on the Monday and

Tuesday of each week from 10.00 a.m. to 11.00 a.m., till the filing of charge-sheet.

(c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing the facts to the Court or any police officer and should not tamper with evidence.

(d) Applicant upon release, within 3 days shall furnish to the Investigating Officer, Yavat Police Station Pune, his residential addresses with proof and the contact numbers and to keep the Investigation Officer intimated about the change in the same from time to time.

11. Criminal Bail Application No. 2851 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)

Digitally signed
by GAYATRI
RAJENDRA
SHIMPI
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