

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

Criminal Bail Application No.3039 of 2025

Anurag Anil Hire.

Age: 23 yrs, Occ: Labour,

At Post- Subhash Road, Pawarwadi,

Nashik Road, Nashik.

(At present Nashik Road Central Prison) ... Applicant.

Vs.

The State of Maharashtra

(At the instance of Nashik Road

police station, to be served

through the office of the learned

Public Prosecutor, High Court

at Mumbai.

... Respondent.

Mr Pratik Kalantri a/w Renuka Shukla and Ms Deepali Kasat
for the applicant.

Mr PP Jadhav, APP for the respondent / State.

Coram : R.N.Laddha, J.

Date : 13 October 2025.

P.C. :

By this application, the applicant seeks bail in connection with CR No.43 of 2025, registered at Nashik Road Police Station, Nashik, for offences punishable under Sections 109(1), 118(1), 118(2), 352, 351(2), 351(3), 189(1), 189(2), 191(2), 190, 189(4) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 4 and 25 of the Arms Act.

2. It is the case of the prosecution that on 23 January 2025, at about 12:45 a.m., the informant, accompanied by his friend Aniket, proceeded to Subhash Road near the railway station at Nashik Road, Nashik. At the said location, the co-accused persons namely Ram, Shyam and Prem initiated a verbal altercation with the informant and his companion, arising out of a prior dispute and they abused the informant and Aniket in a hostile manner. Thereafter, all the accused persons, including the present applicant, assaulted the informant and Aniket.

3. The learned Counsel appearing on behalf of the applicant submits that the co-accused have already been enlarged on bail. It is further submitted that the applicant has no prior criminal antecedents and has not been implicated in any other offence. The weapon allegedly used in the offence was recovered from one of the co-accused and not from the present applicant. The applicant is not alleged to have harboured any motive to cause harm to the informant and has not been attributed any specific role involving the use of the said weapon. It is further contended that the injury sustained by the informant has been attributed to the co-accused and not to the applicant. The applicant has been languishing in

jail since 24 January 2025. The investigation has been concluded and the chargesheet has already been filed before the competent Court. Despite the passage of time, the charge has not yet been framed. The learned Counsel assures that the applicant undertakes not to enter the jurisdiction of the concerned police station until the conclusion of the trial and shall abide by any conditions imposed by this Court.

4. On the contrary, the learned Additional Public Prosecutor has opposed the present application for bail, contending that the applicant played an active role in the commission of the offence. It is submitted that the offence is serious in nature. The informant sustained a grievous injury in the assault.

5. This Court has given anxious consideration to the rival submissions canvassed across the Bar and perused the records. It appears from the record that the co-accused have already been granted bail. The weapon allegedly used in the offence was recovered from the co-accused and not from the applicant. No incriminating material, including blood-stained clothes or weapons has been recovered at the instance of the applicant. The informant has been discharged from the hospital. The injury sustained by the informant has been

attributed to the co-accused. The applicant is a young individual with no criminal antecedents and does not pose a flight risk. The charge is yet to be framed. The prosecution proposes examining 13 witnesses and the trial will take its own time.

6. In view of the foregoing circumstances and the material on record, this Court is of the opinion that the applicant has made out a *prima facie* case for the grant of bail. Accordingly, the following order is passed :

ORDER

(i) The applicant shall be released on bail in CR No.43 of 2025, registered at Nashik Road Police Station, Nashik, upon executing a PR Bond of Rs. 25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall not enter the jurisdiction of the Nashik Road Police Station, Nashik, until the conclusion of the trial, save and except to attend the trial proceedings.

(iii) The applicant, either himself or

through any other person, shall not tamper with the evidence or influence witnesses.

(iv) The applicant shall furnish his residential and contact details to the Inspector of the concerned Police Station and shall notify the said officer forthwith of any subsequent changes therein.

(v) The applicant shall regularly attend and cooperate with the trial Court for the expeditious disposal of the case.

7. The present bail application stands disposed of accordingly.

[R. N. Laddha, J.]