

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

Bail Application No.3236 of 2025

Namdeo Santu Charoskar

Age 42 years, Occ.: Agriculture,

R/at: Shastri Nagar, Umbarkhed

Road, Pimpalgaon Baswant,

Tal.-Niphad, Dist.- Nashik.

... Applicant

versus

The State of Maharashtra

(At the instance of P.I. Pimpalgaon

Baswant Police Station)

...Respondent

Mr Hrishikesh Giri, for the Applicant.

Mr M G Patil, APP, for Respondent / State.

Police Havaladar 60, Rahul Shivajirao Gangurde, Pimpalgaon

Police Station, Nashik Rural, is present.

Coram: R.N. Laddha, J.

Date: 12 September 2025

P.C.:

Heard Mr Hrishikesh Giri, the learned Counsel appearing on behalf of the applicant, and Mr MG Patil, the learned Additional Public Prosecutor representing the respondent/ State.

2. By this application, the applicant seeks bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with CR No.27 of 2025, registered at Pimpalgaon Baswant Police Station, Nashik Rural, for offences punishable under Sections 109, 118(1)(2), 238, and 352 of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

3. Mr Hrishikesh Giri, the learned Counsel appearing on behalf of the applicant, has advanced submissions to the effect that the investigation in the present matter stands concluded and the charge-sheet has been duly filed in March 2025. It is contended that the applicant was apprehended on 29 January 2025 and has remained in judicial custody since that date. He further submits that the prosecution case suffers from significant infirmities and points out that there are no eyewitnesses to the alleged incident. The alleged weapon, which is said to have been used in the commission of the offence, was recovered from the spot itself. However, it is material to note that no blood stains have been detected either on the said weapon or on the clothes of the informant. This circumstance, according to the learned Counsel, considerably weakens the prosecution's case. He further argues that the alleged incident is said to have occurred on 27 January 2025, yet the First Information Report (FIR) came to be registered

only on 28 January 2025, thereby giving rise to a delay which remains unexplained. In addition, reliance has been placed on the medico-legal certificate issued by a private hospital, which does not disclose any injuries of a life-threatening nature.

4. Mr Giri also submits that the applicant does not pose any risk of absconding or tampering with the prosecution evidence. On instructions, he makes a categorical statement that the applicant undertakes not to enter the territorial limits of Dindori and Niphad talukas until the conclusion of the trial.

5. On the other hand, Mr MG Patil, the learned Additional Public Prosecutor representing the respondent/State, has vehemently opposed the application. He submits that the applicant, who is none other than the husband of the informant, assaulted her with an iron hammer and thereby inflicted life-threatening injuries. It is further contended that the applicant was in the habit of casting unfounded aspersions upon the chastity and moral character of the informant and would subject her to frequent acts of physical cruelty and assault. The learned APP further contends that if the applicant is released on bail, there exists a strong likelihood that he may attempt to tamper with the prosecution evidence or exert undue influence upon the informant and other material

witnesses, thereby obstructing the fair course of justice.

6. Upon a careful consideration of the records, it appears that there existed prior disputes between the applicant and the informant, and that the applicant is alleged to have harboured suspicions regarding the character of the informant. The alleged incident is stated to have taken place on 27 January 2025 at about 9:30 p.m., whereas the FIR came to be lodged belatedly on the following day, i.e., on 28 January 2025 at about 2:00 p.m. The record further reflects that the informant was admitted to a private hospital on 28 January 2025 and was discharged on 29 January 2025. The crime detail form, annexed to the bail application at page 22, indicates that the informant sustained simple injuries. Furthermore, the weapon allegedly used in the crime was recovered from the scene of occurrence but bore no bloodstains. Further, it appears that the investigation in the matter has since been completed, and the charge sheet has already been filed in March 2025. Initially, the FIR was registered under Sections 118(1) and 352 of the BNS. It has been submitted on behalf of the applicant that, on instructions, the applicant undertakes not to enter the jurisdiction of Dindori and Niphad talukas of Nashik District until the conclusion of the trial. It has also been urged that the applicant is a person with established roots in society, that there

exists no likelihood of flight risk, and that the applicant has already been in custody since January 2025.

7. Having regard to the aforesaid circumstances, including the nature of the injuries, the completion of investigation, and the applicant's undertaking, this Court is of the considered view that the case is fit for grant of bail. Accordingly, the application is allowed, and it is directed that the applicant be released on bail on the following terms and conditions:

(i) The applicant shall be released on bail in CR No.27 of 2025, registered at Pimpalgaon Baswant Police Station, Nashik Rural, upon furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount to the satisfaction of the jurisdictional Court.

(ii) The applicant shall not enter the jurisdiction of Dindori and Niphad talukas of Nashik District until the conclusion of the trial, and shall not, either personally or through any other person, attempt to tamper with prosecution evidence or issue any threats, inducements, or promises to prosecution witnesses.

(iii) 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.

(iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.

8. The application stands disposed of accordingly.

(R.N. Laddha, J.)