

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3392 OF 2025

Siddharth Ankush Yenpure ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Vipul Dushing a/w Mr. A. R. Chikate, Mr. Anvay Pawar & Mr. Tanmay Kate, learned Advocates for the Applicant.

Ms. Savita M. Yadav, learned A.P.P. for the State/Respondent.

PSI Mr. Ambadas Burte attached to Rajgad Police Station, Pune Rural is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 3rd SEPTEMBER 2025.

P.C. :

1. Heard Mr. Vipul Dushing, learned Advocate for the Applicant and Ms. Savita Yadav, learned A.P.P. for the State/Respondent.
2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 266 of 2022 registered with Rajgad Police Station, District-Pune for the offences punishable under Sections 307, 143, 147, 148, 149, 341, 324, 323, 504 & 506 of the Indian Penal Code, 1860 (“**IPC**” for short) and Section 4(25) of the Indian Arms Act, 1959.
3. Mr. Vipul Dushing, learned Advocate for the Applicant

submits that the abovesaid crime is registered as Sessions Case No. 1452 of 2022 and is pending before the Court of Additional Sessions Judge, Pune.

4. There are 6 persons, who are accused in the present crime. 3 of them are Juvenile. Applicant is Accused No. 2.

5. Case of the prosecution is that a dispute over parking of two wheeler turned violent. Informant Om Jadhav (injured) was assaulted by the persons accused in the present crime. Applicant is alleged to have used a sickle to assault the injured on his head.

6. Applicant was arrested on 18th July 2022, since then he is in jail. Criminal Bail Application at Exhibit-40 filed by the Applicant in Sessions Case No. 1452 of 2022, was rejected by the learned Additional Sessions Judge, Pune by order dated 1st October 2024.

7. Mr. Vipul Dushing, learned Advocate for the Applicant submits that the Applicant is 22 years of age and is a college going student. He submits that the involvement of Applicant in the present crime is of giving a blow on the head of the injured by a sickle. He submits that the case of prosecution is not supported by the material on record against the Applicant. He submits that Rohan alias Jivan Vilas Ovhal (Accused No. 3), who is alleged to have used chopper in assaulting the injured, has been released on bail by this Court vide order dated 4th April 2024 passed in Criminal Bail Application No. 386 of 2024 (page nos. 148 to 151 of the paper-book). He submits that Hrishikesh Raju Bhalerao (Accused No. 1) has been released on bail by the Sessions Court vide order dated 21st May 2024 passed below Exhibit-23 in

Sessions Case No. 1452 of 2022 (page nos. 152 to 155 of the paper-book).

8. Ms. Savita Yadav, learned A.P.P. for the State/Respondent submits that the involvement of Applicant in the present crime is of assaulting the injured by sickle on the vital part of the body, i.e., head.

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

10. Perusal of the records reveal that though the allegations are of Applicant assaulting the injured on his head by use of a dangerous weapon like sickle, however the Medical Certificate of the injured, which is placed on record at page no. 98 of the paper-book, does not support the case of prosecution. There is no corresponding injury, which can *prima facie* said to be resulted by the alleged weapon used by the Applicant in the present crime.

11. This Court while granting bail to Accused No. 1 (page nos. 148 to 151 of the paper-book), has observed that the trial of Sessions Case No. 1452 of 2022 is proceeding at a very slow pace. This Court after taking note of the fact that though the charge-sheet was filed on 26th December 2022, charge is not being framed till 4th April 2024, had released Accused No. 3 on bail. Mr. Vipul Dushing, learned Advocate for the Applicant submits that even as on date, the said position continues in as much as charge is not framed in Sessions Case No. 1452 of 2022. Ms. Savita Yadav, learned A.P.P. for the State/Respondent on instructions confirms that charge in Sessions Case No. 1452 of 2022 is not framed till

date.

12. Considering the abovesaid facts and the nature of allegations against the Applicant, *prima facie* case is made out for grant of bail to the Applicant. Applicant is therefore entitled to bail.

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

- a. Applicant is directed to be released on bail in connection with Crime No. 266 of 2022 registered with Rajgad Police Station, District-Pune for the offences punishable under Sections 307, 143, 147, 148, 149, 341, 324, 323, 504 & 506 of the IPC and Section 4(25) of the Indian Arms Act, 1959 on executing P.R. Bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.
- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade such a person from disclosing the facts to the Court or to any police personnel.
- c. Applicant shall not tamper with the prosecution evidence and shall not contact or influence any witness in any manner.
- d. Applicant upon his release from jail, within a period of

three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Rajgad Police Station, District-Pune and shall keep the same updated, in case of any change thereto.

- e. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Sessions Case No. 1452 of 2022, pending on the file of Additional Sessions Judge, Pune, on each and every date, unless exempted from appearance.
- f. Applicant shall report/attend before the Investigating Officer, Rajgad Police Station, District-Pune (Rural) on 1st & 4th Saturday of every month from 11.00 a.m. to 1.00 p.m. till conclusion of trial of Sessions Case No. 1452 of 2022.

14. Criminal Bail Application No. 3392 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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