

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3895 of 2025**

Amit Vijaysingh Patel ...Applicant
Versus
State of Maharashtra ...Respondent

Mr. Mehesh Manik Funde, *for the Applicant.*
Ms. Poonam P. Bhosale, *APP for the State-Respondent.*
PSI – S. D. Chaore, *Shivaji Nagar Police Station, is present.*

CORAM Dr. Neela Gokhale, J.
DATED: 13th October 2025

PC:-

1. The present Applicant seeks his release on bail in connection with FIR No. 24 of 2023 dated 19th January 2023 registered with Shivaji Nagar Police Station for the offenses punishable under Sections 307, 324, 142, 143, 147, 148, 149, 504 and 506 of the IPC and under Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

2. The facts of the case, in brief, are that the Complainant i.e. the injured victim's fiancée, one Manisha was teased by

the Applicant, his friends and cousins. The injured/complainant went to confront the Applicant and his friends and cousins who had teased his fiancée. There was a verbal spat leading to a physical altercation between the parties. It is alleged that the Applicant had beaten up the first informant with an iron rod, cable wire and a brick. There was another person name Fayaz Shaikh, who joined the fracas. He was also beaten up by the Applicant his friends and cousins. Hence, the injured victim filed the complaint resulting in registration of the FIR.

3. The Applicant made two successive bail applications before the Trial Court, but the said application were rejected. The latest rejection order of the Applicant's bail application is dated 25th September 2025. Hence, the Applicant is before this Court for seeking the relief as prayed.

4. Mr. Mahesh Funde, learned Counsel for the Applicant, has drawn my attention to an order dated 1st July 2025 in the bail application of co-accused Dharmendra Patel. This Court,

considering that the trial has not commenced as yet, enlarged the said co-accused on bail. Thus, Mr. Funde submits that as per the principle of parity, the present Applicant be also granted bail.

5. Ms. Poonam Bhosale, learned APP, submits that the offense is of a serious nature. The first informant and Fayaz Shaikh were injured after being beaten by the Applicant, his friends and cousins with iron rods, sticks, barbed wire and bricks. The intent was to kill the injured. Hence, she submits that the application be rejected.

6. I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

7. I have gone through the order dated 1st July 2025 passed by this Court enlarging the co-accused Dharmendra Patel on bail. It appears that the role attributed to the said Dharmendra Patel is similar to that of the present Applicant.

Dharmendra Patel assaulted the injured and Fayaz Shaikh with iron rod. However, the present Applicant is alleged to have assaulted the injured victim with a brick and barbed wire. Admittedly, the Applicant was arrested on 28th January 2023 and till date, the charges are not framed. The Applicant has suffered incarceration of about 33 months. The Applicant is a permanent resident of Uttar Pradesh. However, he is working in Ulhasnagar, Mumbai. His appearance in the trial can be secured by imposing stringent conditions.

8. In the facts and circumstances of the case, particularly considering the length of custody already undergone by the Applicant and the principle of parity of the Applicant with the co-accused Dharmendra Patel, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount;

- ii) The Applicant is permitted to furnish provisional cash bail of Rs.25,000/- for his release immediately and file undertaking that he will provide one or two sureties in the like amount of Rs.25,000/- within a period of four weeks after his release, which shall be accepted by the Trial Court. The Applicant shall provide the sureties as directed;
- iii) The Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;
- iv) The Applicant shall attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court;
- v) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;

vi) The Applicant shall not leave India, without permission of the trial Court;

vii) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

viii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

ix) The Applicant to co-operate with the conduct of the trial;

x) Any infraction of the aforesaid conditions shall entail cancellation of bail.

9. Application is allowed in the above terms and is accordingly disposed of.

10. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)