



(1)

944 ba 560-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.560 OF 2025
WITH
CRIMINAL APPLICATION (APPP) NO. 961 OF 2025

Chetan S/o Dilip Dongare and another

Vs.

State of Maharashtra, Through Police Station Officer, Police Station
Khadan, Taluka and District Akola

--Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N.A. Waghmare, Advocate a/w Mr. S.B. Taywade, Advocate for applicants.
Ms M.A. Barabde, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/06/2025

By this application the applicants are seeking bail in connection with Crime No.0297/2025 registered with Police Station Khadan, Akola, for the offence punishable under Sections 118(2), 109 and 3(5) of the BNS Act and Sections 4, 25 of the Arms Act. The applicants are arrested on 02/04/2025.

2. Heard learned Counsel for the applicants who submitted that crime is registered on the basis of report lodged by Mr. Aditya Dipak Giri and only allegation against the present applicants is that when informant was proceeding along with his friend the present applicants drove the vehicles on their person and thereafter the other co-accused who came on

other vehicles assaulted him by means of iron pipe and sword. On the basis of the said report police have registered the crime. He submitted that considering the allegation levelled against the present applicants, admittedly, due to the act of the present applicants, informant or his friend has not sustained any injuries. The injuries are caused by other co-accused. Now investigation is completed. Further incarceration of the applicants is not required. In view of that they be released on bail.

4. Learned APP strongly opposed the same application and submitted that in furtherance of the common intention the applicants and the other co-accused assaulted the informant. In view of that the application deserves to be rejected.

5. On hearing both the sides and on perusal of investigation papers it reveals limited role is attributed to the present applicants to the extent of driving the vehicle on the person of the informant, due to which the informant has not sustained any injuries. The serious allegations are levelled against other co-accused. Considering the said the applicants have made out a case for grant of bail. Accordingly, I proceed to pass the following order.

ORDER

i) The application is allowed.

ii) The applicant – (1) Chetan S/o Dilip Dongare (2) Suraj S/o Dilip Dongare, shall be released on bail in connection with Crime No.0297/2025 registered with Police Station Khadan, Akola, for the offence punishable under Sections 118(2), 109 and 3(5) of the BNS Act and Sections 4, 25 of the Arms Act, on executing P.R. Bond of Rs.25,000/- each with one solvent surety each of like amount.

(iii) The applicants shall not induce threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicants shall attend the proceeding before the Trial Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)