



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

CRIMINAL APPLICATION(BA) NO. 1278 OF 2025

Gajanan Namdeo Jatale Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Amol G.Hunge counsel h/f Swapnil S.Karanjekar,
counsel for the applicant.

Mr.C.A.Lokhande, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 22/12/2025

1) The applicant is arrested in Crime No.468 of 2025 registered with Police Station, Mehakar district Buldhana for the offence punishable under Sections 109, 118(1), 296, 127(1), 351(2), 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2) It is the case of the prosecution that on 03.08.2025, Pralhad Deokar has lodged the report stating that his brother was assaulted by the applicant along with co-accused with iron rod. There was dispute about the agricultural land and all the accused persons assaulted him. When, he tried to intervene, he was also assaulted by the iron rod and he also had injury. The learned counsel for the applicant has stated that three accused were involved in the

said offences. Out of them, two are released by the trial Court. Though, the role of the accused was same, the application of this applicant was rejected. The learned counsel for the applicant has stated that now the charge-sheet is filed, the investigation is completed, the injured is discharged from the hospital. There is no need to keep the applicant behind the bar. The role of all the accused persons is similar. The ground of parity is also available to this applicant. Hence, prayed to release the applicant on bail.

3) The learned APP has opposed the application stating that the applicant is aggressor. He has assaulted with iron rod on the head of the injured for three times and thereafter, he fall down therefore the role is different. Though the investigation is completed, as they are from same village, prayed to reject the application

4) Heard both the sides and perused the record.

5) The offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023 is registered against this applicant along with other co-accused. The other two accused are already released on bail. On perusal of the statement, it appears that all of them were having iron rod and all of them assaulted with iron rod. Two accused are already released on bail. Injured is also discharged from the

hospital. The charge-sheet is filed, the investigation is completed. There is no need to keep the applicant behind the bar. Hence, the case is made out to release the applicant on bail. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Gajanan Namdeo Jatale be released on bail in Crime No.468 of 2025 registered with Police Station, Mehakar district Buldhana for the offence punishable under Sections 109, 118(1), 296, 127(1), 351(2), 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023 on his furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall co-operate the learned trial judge in the conduct of the trial.
- vi] The applicant is restrained from entering into the village, where injured is staying till the conclusion of the trial.

- 6) The Criminal Application stands **disposed of** accordingly.
- 7) Pending application/s if any, is/are stand/s disposed of.

JUDGE