



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) No.158 OF 2025

(Aditya Sudhir Dhakare Vs. State of Maharashtra, through PSO Akot, Tq. Akot,
Distt. Akola)

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

Court's or Judge's orders.

Mr. V.B. Bhise, Advocate for applicant.
Mr. M.K. Pathan, APP for non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATE : 10th MARCH, 2025.

1. The applicant came to be arrested on 17.1.2025 in connection with crime No.20/2025 registered with Police Station Akola, District Akola under Sections 109, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard learned counsel for the applicant, who submitted that present applicant has intervened in the quarrel of the injured and other co-accused. As far as the assault is concerned there is no allegation against the present applicant even the recitals of the F.I.R. shows that the present applicant hold the hands of the deceased. He submitted that now investigation is already completed. Further incarceration of the present applicant is not required. He has only limited role. In view of that, he be released on bail.

3. Learned A.P.P. strongly opposed the said

application and submitted that considering the presence of the present applicant the prima facie case is made out against the present applicant. Investigation though completed charge-sheet is yet to be filed and. Therefore. the application deserves to be rejected.

4. Learned counsel for the complainant has also strongly opposed the application on the ground that considering the nature of injuries sustained by the injured the bail application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers from the statement of one of the eye witness who is independent one it reveals that present applicant was trying to intervene in the quarrel even the clothes which are seized at the instance of the present applicant doesn't bear the blood stains.

6. Now, the investigation is already completed and considering the limited role of the present applicant his bail application deserves to be allowed. Accordingly, I proceed to pass following order :

ORDER

(i) The application is allowed.

(ii) The applicant - Aditya Sudhir Dhakare shall be released on bail in connection with Crime No.20/2025, registered with Police Station Akot, District Akola under Sections 109, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 on executing P.R. Bond of Rs.25,000/- with one surety of like amount.

(iii) The applicant shall not enter into the vicinity of Aasra Kalni, Taluka Akot, District Akola till culmination of the trial.

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

(v) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

(vi) The applicant shall furnish his detail address alongwith address proof before the Sessions Court.

(vii) The application is disposed of.

(viii) The fees of the appointed counsel be quantified as per rules.

(Urmila Joshi-Phalke, J.)