IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1689 OF 2026

Chandrakant Limba Shinde ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....

Mr. G.J. Kore, Advocate for applicant
Mr. D.J. Patil, A.P.P. for respondents

....

CORAM : HITEN S. VENEGAVKAR, J.
DATE : 14th OCTOBER, 2026

PER COURT :

1. Heard learned counsel for the applicant and learned A.P.P. for State.

2. Present application for regular bail is preferred by the applicant, who is added as an accused in F.I.R. bearing Crime No. 216 of 2026 registered with Bhoom Police Station, Dist. Dharashiv for the offences punishable under Sections 74, 109, 352, 351(3), 351(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The applicant has been arrested in the said offence on 24th April, 2026.

3. The prosecution story, in brief, is that the complainant while waiting for her husband in *varanda* of her house, was pulled by the present applicant towards his house. In the process, her *sari* got removed, and

therefore, a quarrel took place. It is alleged that the present applicant assaulted the complainant with the aid of a knife and gave one blow on her stomach. There is also allegation that subsequently the quarrel was joined by co-accused – Sagar, who is the son of the present applicant, who allegedly assaulted the informant and her son - Ruturaj with the piece of a tile. There are also allegations of assaulting with stone against the wife and present applicant. Though the prosecution case and the injury certificates indicate the injuries to the informant and her son on the vital part of the body, perusal of the medical certificates show that those injuries are simple in nature.

4. Learned counsel for the applicant submits that the applicant has been arrested on 24th April, 2026 and since then he is in jail. The role attributed to co-accused – Sagar is on higher pedestal as he assaulted the informant and her son with the aid of a tile on the head. He submits that co-accused – Sagar and all other accused persons have been released on bail. Therefore, he prays that the applicant also be released on bail by taking into consideration that the injuries inflicted by him are simple in nature and the applicant is in jail since 24th April, 2026.

5. Learned A.P.P. opposed the application and resisted the grounds of bail by stating that the allegations are serious in nature and though the injuries in the certificates are mentioned as simple in nature, still the intention of the applicant was to assault the injured on the vital part of body. He

submits that the period undergone by the applicant is not proportionate with the offences levelled against him. He submits that parity does not apply with the other co-accused persons for the reason that co-accused – Sagar was armed with a tile while present applicant was armed with a deadly weapon – knife.

6. I have heard learned counsel for the parties. I have also perused the entire documents including the charge-sheet which is placed on record. No doubt, it is the case of prosecution supported by the witnesses that the alleged incident has taken place in which the present applicant has assaulted the informant as well as the injured – Ruturaj with the aid of knife, which is termed as a deadly weapon. The injury is caused to the abdomen of the informant, while injury is also caused by the applicant to the cheeks of injured – Ruturaj. However, the injury certificates annexed to the charge-sheet suggest that all the injuries are simple in nature. Taking into consideration that investigation is complete and the charge-sheet is already filed, I am inclined to allow the application on the ground that the applicant is in jail since 24th April, 2026. Hence, I pass the following order :-

ORDER

(i) The Bail Application is allowed.

(ii) The applicants shall be released on bail in Crime No. 216 of 2026 registered with Bhoom Police Station, Dist. Dharashiv for the offences punishable under Sections 74, 109, 352,

351(3), 351(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on each furnishing a personal bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two solvent surety in the like amount, subject to the following conditions :

a) The applicant shall attend the trial Court on every date fixed, unless their attendance is specifically exempted.

b) The applicant shall attend Bhoom Police Station, Dist. Dharashiv as and when required.

c) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant or any prosecution witness and shall not tamper with the prosecution evidence.

d) The applicant shall furnish his current residential address and mobile number to the Investigating Officer and the trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

e) The applicant shall not leave India without prior permission of the trial Court and, if he possesses passport, shall deposit the same with the trial Court within seven days of his release.

f) The applicant shall not involve himself in any offence of a similar nature while on bail.

(iii) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

(iv) All observations in this order are prima facie and confined to the decision of this bail application. The trial Court shall decide the case independently on the evidence led before it.

(v) Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR, J.)

SSD