



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1814 OF 2025

Jayesh Dattatraya Shinde

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. A.K. Bhosle, Advocate for applicant

Mr. B.B. Bhise, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 24th FEBRUARY, 2026

PER COURT :

1. The applicant seeks release on regular bail in connection with Crime No.128/2025, registered with Chalisgaon Police Station, District Jalgaon for the offences punishable under Sections 109, 109(1), 352, 351(3), 189(1), 189(2), 190, 191(2) of the Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that, the alleged incident occurred at the spur of moment and there was no

premeditation. The charge sheet is filed. Other accused are enlarged either on regular bail or anticipatory bail. Further, the injured is also discharged from the hospital. In that view of the matter, request of the applicant warrants consideration. Hence, prayed to allow the application.

3. Per contra, learned A.P.P. vehemently opposed the application, submitting that, there are eye witnesses to the incident. The injured has sustained grievous injury, which was with premeditation. Nevertheless, the applicant has antecedents, those are of similar in nature, which disentitles the applicant to be admitted to bail.

4. Upon considering the submissions advanced by learned counsel for both sides, prima facie, the incident appears to have occurred at the spur of moment, as such, it was an act without premeditation. The applicant has been in custody since 15/5/2025, which is for almost 9 months. In any case, the investigation is complete. Moreover, necessary recovery is already effected. Apart from the above, even on the ground of parity, the application warrants consideration. Hence, I am inclined to exercise the discretion in favour of the applicant.

5. Nevertheless, the investigation is complete for all intents and purposes. Accordingly, the discretion deserves to be exercised in favour of the applicant. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Jayesh Dattatray Shinde be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
 - (c) The applicant shall not enter within the jurisdiction of Chalisgaon Taluka, District Jalgaon till the conclusion of the trial.
 - (d) In case of breach of any of the conditions, the prosecution or the informant can approach the concerned Court seeking cancellation of bail of the applicant notwithstanding the fact that this Court has

granted the bail to the applicant.

- (iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

fmp/-