



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2258 OF 2025

Rajnikant Shamrao Taru

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. N. S. Ghanekar, Advocate for the Applicant.

Mr. B. B. Bhise, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 16th JANUARY, 2026.

PER COURT :

1. The Applicant seeks regular bail in connection with Crime No. 107/2025 registered with Mudkhed Police Station, Dist. Nanded, for the offences punishable under Sections 103(1), 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on 17.06.2025 at about 5.30 pm, sister-in-law of the informant namely Pranita, informed him on phone call that some persons have assaulted her husband Sumedh and he is admitted in Mudkhed hospital for treatment. When the informant reached there, he saw his brother died. On this count, initially, AD No. 25/2025 came to be register. However, later on when Pranita informed that the Applicant along with the co-accused had

assaulted Sumedh with wooden log and fists and kicks blows on the count that Sumedh had damaged the motorcycle of co-accused Ratnakar, crime came to be registered.

3. Learned Counsel for the Applicant submits that the present First Information Report is the outcome of cross-complaint filed by the present Applicant and the co-accused. Two First Information Reports are arising out of the same incident. General allegations are made against the Applicant and no specific role is attributed against him. It is further submitted that there is delay in recording statement of the witnesses, which is unexplained. CCTV footage of the incident does not directly indicate complicity of the Applicant in the crime. Investigation in the crime is complete in all respects and as such further detention of the Applicant is not warranted. Hence, prayed to allow the application.

4. Per contra, learned APP vehemently opposed the application citing serious nature of the crime. It is submitted that there are eye witnesses to the incident which indicate complicity of the Applicant in the crime. By drawing attention of the Court to the serious nature of the offence, it is apprehended that the Applicant's release on bail

would create a significant risk of tampering with prosecution evidence. Hence, prayed to reject the application.

5. Upon considering the submissions of both the sides and perusing the material on record, including charge-sheet, it is evident that the present First Information Report is the outcome of cross complaint filed by the Applicant against the informant. No specific role is attributed against the Applicant. Furthermore, initial Accidental Death Report does not indicate name of the present Applicant so also, CCTV footage of the incident *prima facie* does not indicate specific overt act to the Applicant in the crime. In any case, the alleged use of wooden stick is not lethal weapon. In that view of the matter, I am of the view that this is a case of over implication.

6. Considering the fact that the charge-sheet is filed, investigation is complete for all intent and purposes, no fruitful purpose would be served by further incarcerating the Applicant. The apprehension expressed by learned APP and learned Counsel for the victim can be adequately safeguarded by imposing stringent conditions upon the Applicant.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Rajnikant Shamrao Taru, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 107/2025 registered with Mudkhed Police Station, Dist. Nanded, for the offences punishable under Sections 103(1), 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

(a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.

(d) The Applicant shall not enter the jurisdiction of Nanded city till conclusion of the trial except for attending the dates of the trial.

(e) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

- (iii) Needless to state that the observations rendered herein are to the extent of this Application and the Trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)