



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2403 OF 2025

KISHOR PRAKASH KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Ms. Sunita G. Sonawane
Addl. PP for Respondents-State : Mr. S. D. Ghayal

CORAM : SACHIN S. DESHMUKH, J.
Date : 14th January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 27.10.2025 bearing Crime No. 424 of 2025, registered with Shivaji Nagar Police Station, Dist. Latur for the offences punishable under Sections 109(1), 189(2), 190, 189(4), 190, 191(3), 324(4), 352, 351(3) of the Bhartiya Nyaya Sanhita, 2023.

2. According to the prosecution, the incident originated on 22.10.2025 at approximately 07:30 hours. While the informant, Sumit, was at his village bus stand, applicant / accused No. 1 Vishnu Gaikwad allegedly brushed against him with a black Verna car. When the informant protested, accused No. 1 criminally intimidated him with death threats and verbal abuse.

3. It is further alleged that subsequently, on 26.10.2025 at 21:30 hours, accused No. 1 asked the informant to reach at Vishwa Travels office in Latur via telephone. The informant, accompanied Sanjot Chavan, proceeded to the location in vehicle No. MH-24-AW-1998. Upon arrival, they were allegedly waylaid by accused No. 1, who was armed with a bamboo stick, alongside accused No. 2 Imran with an iron rod, accused No. 3 Anand with a stone, accused No. 4 Kishor with a belt and accused No. 5 and 6 Kiran and Shantanu, all of whom were reportedly waiting at the spot to assault them.

4. It is further alleged by the prosecution that upon the arrival of the informant and his friend at the site, applicant Vishnu allegedly inflicted a blow over the informant's head with a bamboo stick; the informant sustained an injury to his left hand while attempting to parry the strike. Simultaneously, accused No. 2 Imran reportedly assaulted the informant's back with an iron rod. When Sanjot Chavan intervened, accused No. 2 struck him with the rod and accused No. 3 Anand pelted a stone at Sanjot's head, rendering him unconscious.

5. The further case of the prosecution is that as the informant attempted to assist Sanjot, accused No. 4 Kishor allegedly assaulted him with a belt, while accused No. 5 and 6 Kiran and Shantanu subjected him to physical kicks and abuse. Accused No. 1 is alleged to have assaulted one Parmeshwar Birajdar on the leg with a bamboo stick. The accused persons further caused mischief by damaging the informant's vehicle, shattering the windows with stones, bricks, and rods, before fleeing the scene as a crowd gathered. Accordingly, the FIR came to be lodged.

6. The learned counsel for the applicant submits that the applicant was arrested on 29.10.2025 and the only allegation against the applicant is of having given fist and kick blows to the informant which is general in nature. The applicant has no criminal antecedents and is ready and willing to abide by any terms and conditions that may be imposed by this Court. The investigation is almost complete. Nothing remains to be recovered or discovered at the instance of applicant and, therefore, further incarceration of the applicant is not warranted. As such, prayed to allow the application.

7. The learned APP opposed the application submitting that the applicant was a member of an unlawful assembly having a common object to assault the complainant. The present applicant actively participated in the assault by giving fist and kick blows. The further apprehension is expressed that the in the event, applicant is released on bail, he may threaten the informant and prosecution witnesses. Hence, prayed to reject the application.

8. Considering the submissions of both the sides and perusing the material on record, the Injury Certificates of the victims indicate that two persons have been seriously injured. The record prima facie indicates that the grievous injuries, specifically the head injury to Sanjot and the fracture to the informant, are attributed to the co-accused, those were allegedly armed with deadly weapons i.e. iron rods. No such weapon is attributed to the present applicant.

9. The allegation against the present applicant of delivering fist and kick blows is general in nature. Considering the nature of the alleged assault, the question of whether the applicant shared a common intention prima facie to cause grievous hurt remains a matter of trial.

10. The investigation of the case is almost complete. The alleged weapon and other articles in connection with alleged crime have been already recovered by the Investigating agency. Hence, nothing remains to be recovered or discovered at the instance of the applicant.

11. Thus, no fruitful purpose would be served by keeping the applicant behind the bar and can be enlarged on bail. The apprehension expressed by the learned APP about tampering the prosecution evidence, can be adequately taken care of by imposing stringent conditions. Hence, the following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Kishor Prakash Kamble be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 424 of 2025, registered with Shivaji Nagar Police Station, Dist. Latur for the offences punishable under Sections 109(1), 189(2), 190, 189(4), 190, 191(3), 324(4), 352, 351(3) of the Bhartiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant is directed to attend the concerned Police Station and report to the Investigating Officer

on every Friday and Saturday between 10.00 am to 01.00 pm, till the filing of the charge-sheet.

- (c) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (e) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (III) Needless to states 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.)

Omkar Joshi