



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 204 OF 2026

Akash Ramnath Bhojne

..APPELLANT

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. S.V. Suryawanshi, Advocate for Appellant

Mr. N.D. Raje, A.P.P. for Respondent Nos. 1 and 2

Mr. M.K. Jadhav, Advocate for Respondent No.3

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CORAM : ABHAY J. MANTRI, J.

DATE : 21st APRIL, 2026

PER COURT :

1. The Appellant / Accused has filed this Appeal challenging the order dated 12th March, 2026, passed by the learned Special Judge (Under SC & ST Act), Aurangabad, in Criminal Bail Application No. 452 of 2026, whereby the bail application filed in connection with Crime No. 72 of 2026 registered with Pundalik Nagar Police Station, Dist. Chhatrapati Sambhajinagar on 27th February, 2026 for the offences punishable under Sections 118(1), 115(2), 352, 3(5), 109(1) of Bharatiya Nyaya Sanhita, 2023 (for short, '**BNS**') and under Sections 3(2)(va), 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, '**SC & ST**') was rejected.

2. Heard learned counsel for the Appellant, learned counsel for Respondent No.3 and learned A.P.P for Respondent Nos. 1 and 2. Perused the Appeal memo, charge sheet and record.

3. At the outset, it appears that on 26th February, 2026, at about 09:30 p.m., a quarrel took place between the Appellant and others on one side and the injured, informant and others on the other side. In the said quarrel, the Appellant, along with others, assaulted the injured, Shubham, and others gave kicks and fist blows, and gave a blow with a knife, causing injuries to them. Based on the incident, the informant, Jyoti, lodged a report at the police station. On the basis of the said report, an offence was registered.

4. Pursuant to the registration of the offence, the Appellant, along with Accused Ramnath, has filed Criminal Bail Application No. 452 of 2026 before the learned Special Court (Under SC & ST Act), Aurangabad. However, the Application of the present Appellant was rejected, and bail was granted to the accused Ramnath. Being dissatisfied with the said order, the Appellant has preferred this Appeal.

5. Police Personnel are present in the Court. Learned A.P.P on instructions from them submitted that the investigation of the present crime has been completed, and within two weeks, a charge sheet will be filed in the Court. It also appears that since 28th February, 2026, the Appellant has been

in jail. The police have also recovered the knife from the possession of the Appellant under panchanama under Section 23 of the Bharatiya Sakshya Adhiniyam, 2023 (for short, **'BSA'**).

6. Learned A.P.P. resisted the Appeal on the ground that the offence is a serious one and the Appellant gave a blow with a knife to the person of Shubham and caused injuries to his right hand, so also if the Appellant is released on bail, he may threaten and influence the prosecution witnesses. There is also a possibility of tampering with evidence. He, therefore, prays for rejection of the appeal.

7. On perusal of the statement of witnesses, the injured, the informant and the Investigating Officer, along with the medical certificate / final injury certificate, a prima facie discrepancy appears in the statement of the witnesses and the injuries mentioned in the injury certificate suffered by the injured Shubham, by means of a knife. Injured Shubham sustained injury on his right hand; however, in the injury certificate, the nature of the injury is mentioned as **'Simple'**, and the type of injury is mentioned as **'Blunt Trauma' by a hard and blunt object**. The injury certificate does not indicate that Shubham had sustained injury by means of a sharp weapon or incised wound, but it was sustained by a hard and blunt object, and therefore, a discrepancy appears in the statement of witnesses and the Injury Certificate. Apart from that, all other accused persons are released on bail. Moreover, it is informed

that the investigation has been completed and a charge sheet is going to be filed within two weeks.

8. Having considered the above-mentioned facts, in my view it would not be appropriate to detain the Appellant behind bars. However, to dispel the prosecution's apprehension, stringent conditions can be imposed on him while releasing him on bail.

9. As a result, the *Criminal Appeal is allowed in terms of prayer clauses B and C as prayed.*

10. The Appellant - Akash Ramnath Bhojne be released on bail in connection with Crime No. 72 of 2026 dated 27th February, 2026, registered with Pundalik Nagar Police Station, Dist. Chhatrapati Sambhajnagar for the offences punishable under Sections 118(1), 115(2), 352, 3(5), 109(1) of Bharatiya Nyaya Sanhita, 2023 and under Sections 3(2)(va), 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on furnishing P.B. and S.B. of Rs.1,00,000/- (Rupees One Lakh) with one or two solvent sureties in the like amount on the following conditions:-

- (i) The Appellant shall not tamper with the prosecution evidence in any manner till the conclusion of the trial.
- (ii) The Appellant shall attend Pundalik Nagar Police Station on 30th April, 2026 and as and when called by the Investigating Officer till the filing of the charge-sheet.

(iii) The Appellant shall not leave India without prior permission of the Court till the conclusion of the trial.

11. Bail before the learned Trial Court.

12. Needless to clarify that the observations made in the order are prima facie in nature, and therefore, the Trial Court shall not be influenced by the above order while conducting the trial.

13. The Appeal is disposed of.

(ABHAY J. MANTRI, J.)

SSD