



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 10 OF 2026

VISHAL VIJAY BABALE
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. N. S. Kadam
APP for Respondents-State : Ms. P. V. Diggikar

CORAM : SACHIN S. DESHMUKH, J.

Date : 22nd January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 02.12.2025 bearing Crime No. 271 of 2025 registered with Mukhed Police Station, Dist. Nanded for the offences punishable under Sections 309(6), 351(2) and 351(3) of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that on 29.11.2025 at a petrol pump in Mukhed City, the applicant, accompanied with two unidentified individuals, allegedly approached the informant, Shivraj Pawale, for tobacco. When the informant replied that he did not use tobacco, the applicant reportedly engaged in a scuffle, dragging him behind a screen and demanded money. Despite being warned by the informant about the installed CCTV cameras, the

applicant allegedly slapped him and forcibly snatched an amount of Rs. 3,000/- from his shirt pocket, along with a silver chain featuring 'Om' shaped gold pendant. When a security guard intervened, the applicant allegedly threatened and assaulted him, knocking him to the ground. Another employee, Balaji Junne, also attempted to intervene but was reportedly intimidated and sustained injuries. The applicant eventually fled the scene as a crowd began to gather.

3. The learned counsel for the applicants submits that there is a substantial variance in the timings and narration of the alleged incident in the statements recorded by the Investigating Officer. There is no incriminating material on record to connect the applicants with the alleged commission of the crime. As such, prayed to allow the application.

4. The learned APP submits that the incident is serious in nature, that the involvement of the applicant is apparent, and that there is sufficient material on record to indicate the applicant's complicity in the incident. If the applicant is enlarged on bail, there is every possibility of tampering with the prosecution evidence. As such, it is prayed that the application be rejected.

5. Having heard the learned counsel for the applicant and the learned APP for the State, it is prima facie evident that the general allegations are made against the present applicant. Moreover, the incident occurred on 29.11.2025 whereas the FIR was registered on 02.12.2025 i.e. after delay of four days.

6. Perusal of record prima facie indicates that the prosecution's case mentions that CCTV coverage was available at the petrol pump. Moreover, the record prima facie indicates that the inconsistencies arising from the delay in the FIR and potential contradictions between the oral account and the physical or CCTV evidence.

7. Nevertheless, the investigation has been completed, and the charge sheet has also been filed. Nothing further remains to be recovered at the present applicant's instance. Thus, keeping in view the peculiar facts and circumstances of the case, the applicant's right to liberty needs to be upheld by imposing stringent conditions.

8. In that view of the matter, the applicant deserves to be released on bail. Accordingly, following order :-

ORDER

(I) Application is **allowed**.

- (II) Applicant – Vishal Vijay Babale 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. 271 of 2025 registered with Mukhed Police Station, Dist. Nanded for the offences punishable under Sections 309(6), 351(2) and 351(3) of Bharatiya 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 shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) 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.
 - (d) 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 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