



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

BAIL APPLICATION NO. 76 OF 2026

1. SANDIP AMARSING VALVI
2. SUBHASH AMARSING VALVI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Samir S. Shaikh, R. T. Vasave
APP for Respondent : Mr. C. V. Badhane
...

CORAM : SACHIN S. DESHMUKH, J.
DATE : 04-02-2026

PER COURT:-

1. The applicants seek bail in connection with Crime No.414 of 2025 dated 17.12.2025 registered with Akkalkuwa Police Station, District Nandurbar, for the offences punishable under Sections 109(1), 189(1), 189(2), 190, 191(2), 191(3), 352,351(3) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicants were arrested on 17.12.2025.

2. The prosecution case is that accused No. 1 is the informant's uncle owns an adjoining land. The parties are embroiled in a dispute regarding a common boundary mound. On 10.12.2025, Accused No. 1 allegedly threw stones into the informant's field and issued a death threat. The following day, on 11.12.2025 at approximately 4.00 p.m., accused No. 1 to 7 arrived at the

informant's residence. Accused No.1 Amarsing, claimed ownership of the land while shouting abuses. Amarsing then struck the informant on the head with an axe. Simultaneously, accused Ravindra, Sandip, and Subhash assaulted the informant with wooden sticks, targeting his head, back, and stomach. The wives of Subhash and Ravindra also participated by beating him with their hands. Meanwhile, Mahendra Valvi allegedly instigated the attack. When the informant's father and wife intervened to rescue him, they were also subjected to physical assault. Throughout the incident, the accused continued to abuse the victims and issued threats to their lives. The informant sustained a bleeding head injury and was initially taken to the Government Hospital in Akkalkuwa before being shifted to the Civil Hospital in Nandurbar. Hence, the report came to be lodged.

3. The learned counsel for the applicants submits that they have been falsely implicated in a fabricated case. There is nothing incriminating evidence on record to establish the complicity of the applicants. A significant, unexplained six-day delay in lodging the FIR casts serious doubt on the veracity of the informant's version, indicating a concocted story born out of long-standing enmity over a common boundary (bandh). The applicants have been in custody since 17.12.2025, and since the recovery of weapons is already complete, no further purpose would be served by their continued incarceration. Furthermore, the FIR lacks any indication of motive

or intention to commit the alleged crime, and with nothing more to be recovered, the counsel prays that the applicants may be released on bail.

4. The learned A.P.P. has opposed the application, submitting that the nature of the offence is serious, involving a coordinated attack with a lethal weapon like an axe. The learned APP further submitted that there is sufficient *prima facie* material on record to indicate the involvement of the applicants and expresses that the applicants may repeat the crime or influence the prosecution witnesses, if released on bail. Hence, prayed to reject the application.

5. Having heard the respective learned counsel for both the sides and upon perusal of the material on record, including the charge sheet indicates that the primary dispute appears to be a boundary quarrel between the family members, which often led to the exaggeration of claims. The unexplained six-day's delay in filing the first information report is a material fact that necessitates a trial to determine the veracity of the prosecution's version. As such, *prima facie* there is possibility of over implication.

6. Furthermore, the investigation has reached a stage where the custodial interrogation is no longer required, as the recovery of the alleged weapons has already been effected. Further, the

applicants have been in custody for a considerable period and the investigation is complete, the continued incarceration of the applicants is not warranted.

7. Apart from aforesaid aspects, co-accused No.5, 6 and 7 are already enlarged on bail. As such, on the ground of parity also the request of the applicants for bail warrants consideration. Therefore, no purpose would be served by keeping the applicant behind the bars for indefinite period. The apprehension expressed by the learned APP can be adequately taken care of by imposing stringent conditions. Thus, I am inclined to exercise discretion in favor of the applicants.

8. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicants No. (1) Sandip Amarsing Valvi and (2) Subhash Amarsing Valvi, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) each, with one or two local solvent sureties, in the like amount, in connection with Crime No.414 of 2025 dated 17.12.2025 registered with Akkalkuwa Police Station, District Nandurbar, for the offences punishable under Sections 109(1), 189(1), 189(2), 190, 191(2), 191(3), 352,351(3) of the *Bharatiya Nyaya Sanhita, 2023*, on the following

conditions that;

- (a) The applicants shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The applicants 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 applicants shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicants, 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]
JUDGE

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