



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 173 OF 2026

Rama Alias Ramprasad Vithal Shilpe
VERSUS
The State Of Maharashtra And Another

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- Mr. Y. G. Birajdar, Advocate h/f. Mr. N. S. Shinde, Advocate for Applicant
- Ms. P. J. Bharad, APP for Respondents - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 20.02.2026

PER COURT :

1. Heard Mr. Birajdar, learned counsel for the applicant and learned APP for the State.
2. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 509 of 2025 dated 28.12.2025, registered with Parbhani Rural Police Station, District Parbhani, for the offences punishable under Sections 115(2), 118(1), 118(2), 351(2) and 352 read with Section 3(5) of the BNS, 2023.
3. The prosecution case is that on 28.12.2025, while Ganesh Mane was undergoing treatment at Government Hospital, Parbhani, his statement was recorded by the police. In his statement, he stated that on 26.12.2025 at about 09:30 p.m., he had a petty quarrel with

one Rama Shilpe. On the following day, while the informant was standing in front of his house, the accused/applicant Rama Shilpe, along with his brother Krishna Shilpe, allegedly came to the spot. It is alleged that Rama Shilpe was carrying a wooden stick and assaulted the complainant. When the complainant attempted to protect himself from the blows of Rama Shilpe, co-accused Krishna Shilpe allegedly assaulted him with an iron rod.

4. It is further stated that the complainant was rescued by two eye-witnesses, namely Ganesh Virkar and Krushna Jathal, who intervened and took him to the hospital, where his statement came to be recorded. Based on the said statement, the present FIR was registered for the offences of causing grievous hurt by means of dangerous weapons and other relevant provisions of the BNS, 2023.

5. Learned counsel for the applicant submits that the applicant has been falsely roped in the present crime and that the allegations against him are exaggerated. The applicant and the complainant are neighbours residing in the same vicinity and there was a petty quarrel between them. It is contended that the present FIR has been lodged with an intention to take revenge.

6. It is further submitted that even assuming that an assault had taken place, the main assault by means of a dangerous weapon, namely an iron rod, is attributed to co-accused Krishna Shilpe. The

present applicant Rama is alleged to have inflicted only a single blow by means of a wooden stick. The injuries sustained by the complainant are, therefore, attributable to the co-accused and not to the present applicant.

7. The applicant was arrested on 30.12.2025. The Investigating Officer has already recorded the Discovery Panchnama leading to recovery of the wooden stick allegedly used by the applicant. It is thus submitted that nothing further remains to be investigated against the applicant and his custodial interrogation is no longer necessary. The applicant has no criminal antecedents and is ready and willing to abide by any conditions that may be imposed by this Court.

8. Per contra, the learned APP vehemently opposes the present application on the ground that the applicant is involved in a serious offence of causing grievous hurt by means of a dangerous weapon, i.e. a wooden stick. It is submitted that the offence is punishable with imprisonment for life. It is further contended that if the applicant is released on regular bail, he may threaten the complainant and his family members. The present incident is stated to be a fallout of the earlier quarrel dated 26.12.2025, and there is every likelihood that, if released on bail, the applicant may again commit a similar offence, thereby disturbing law and order in the locality.

9. It is also submitted that co-accused Krishna Shilpe has been absconding since the date of the incident. Though the investigation insofar as the present applicant is concerned is complete, the charge-sheet is yet to be filed. There is apprehension that the applicant, if enlarged on bail, may tamper with the prosecution evidence and prejudice the prosecution case. Hence, it is prayed that the applicant may not be released on bail.

10. I have gone through the investigation papers made available by the learned APP. A perusal thereof indicates that the statements of eye-witnesses Ganesh Virkar and Krushna Jathal have already been recorded, apart from the statements of other relevant witnesses to the incident. The applicant was arrested on 30.12.2025 and, during custody, led to the discovery of the alleged weapon, i.e. a wooden stick. The investigation papers further reveal that the medical papers pertaining to the injuries sustained by the complainant have also been obtained from the Medical Officer, District Hospital, Parbhani.

11. Thus, insofar as the present applicant is concerned, the investigation appears to be substantially complete. Except for filing of the charge-sheet, nothing further remains to be investigated. The further custody of the applicant would not serve any fruitful purpose. Though the medical certificate shows that the injuries sustained by the complainant are grievous in nature, at this stage the same cannot

be specifically attributed to the present applicant. The allegations regarding the use of a dangerous weapon, namely an iron rod, are attributed to the absconding co-accused Krishna Shilpe. The apprehensions expressed by the learned APP can be adequately addressed by imposing stringent conditions upon the applicant. In view thereof, I am inclined to exercise powers under Section 483 of the BNSS and release the applicant on bail.

ORDER

- i. The Bail Application is allowed.
- ii. The applicant – Rama @ Ramprasad Vithal Shilpe – shall be released on regular bail in connection with Crime No. 509 of 2025 dated 28.12.2025 registered with Parbhani Rural Police Station, District Parbhani, for the offences punishable under Sections 115(2), 118(1), 118(2), 351(2) and 352 read with Section 3(5) of the BNS, 2023, on furnishing PR. bond of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two local solvent sureties in the like amount, subject to the following conditions:
 - (a) The applicant shall not enter Village Aarvi, Taluka and District Parbhani till framing of charge, except in case of emergency seeking prior permission of the Superintendent of Police, Parbhani.
 - (b) The applicant shall provide his alternate residential address to the Investigating Officer.

- (c) The applicant shall attend the concerned police station and report to the Investigating Officer between 10:00 a.m. and 12:00 noon on the first day of each month till filing of the charge-sheet.
 - (d) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.
 - (e) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (f) 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.
12. A single violation of the aforesaid conditions may entitle the prosecution to seek cancellation of the bail granted hereinabove.
13. The Bail Application stands disposed of accordingly.

(MEHROZ K. PATHAN, J.)