



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

972 BAIL APPLICATION NO. 265 OF 2026

Chetan Desel Kale

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. K. A. Ingle, Advocate for Applicant.

Smt. R. R. Tandale, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 24th FEBRUARY, 2026.

PER COURT :

1. Applicant has preferred this application seeking regular bail in connection with Crime No. 513/2025 registered with Bidkin Police Station, Dist. Chhatrapati Sambhajnagar for the offences punishable under Sections 109, 79, 189(2), 191(2), 191(3), 190, 351(2) of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that on 26.08.2025 at about 8.00 pm when the informant along with his family members were present in their house, Applicant reached there in drunken condition and questioned Sukhdeo in relation to demand of money. When Sukhdeo informed about advance payment of Rs. 50,000/- towards purchase of a plot and on account of non-completion of the

transaction asked for repayment of the same, Applicant made indelcent demand with him outraging modesty of his wife. When they tried to give understanding to the Applicant, he assaulted Sukhdeo with wooden log on backside of the head, as a result of which Sukhdeo fell down. Thereafter Applicant assaulted Sukhdeo with the help of knife and iron rod. When informant tried to pacify the dispute, Applicant assaulted Swati and Sukhdeo. Co-accused also assaulted the informant and the persons accompanying him. On the basis of these allegations, First Information Report came to be lodged.

3. Learned Counsel for the Applicant submits that cross complaints are filed with regard to the alleged incident and the present First Information Report is lodged as a counter to the complaint lodged by the informant. There is unexplained delay of two days in lodging the complaint. All the co-accused are enlarged on bail. Further, the injury certificate indicates that the injured was discharged on the same day. Investigation in the crime is complete and charge-sheet is filed. Applicant is behind the bars since 11.09.2025 and nothing is to be recovered from the Applicant. Hence, prayed to enlarge the Applicant on bail.

4. Per contra, learned APP vehemently opposed the application submitting that the Applicant is involved in a serious crime. Specific role is ascribed against the present Applicant in the First Information Report. It is further submitted that the role of the present Applicant is distinct from that of the co-accused Chetan disentitling the Applicant to be enlarged on bail on the ground of parity. An apprehension is also expressed that if the Applicant is enlarged on bail, there is every possibility of tampering prosecution evidence. Hence, prayed to reject the application.

5. Upon considering submissions of both sides and on perusal of record, including charge-sheet, it is prima facie evident that cross complaints are filed with regard the incident in question involving neighbours. Injury certificate indicates that the injured was discharged immediately. Further, all the co-accused are enlarged on bail.

6. Nevertheless, investigation in the crime is complete for all purpose and intent. Resultantly, charge-sheet is filed. Applicant is arrested on 11.09.2025. Having regard to the fact that cross

complaints are filed with regard to the incident in question coupled with the fact that there is unexplained delay of two days in lodging First Information Report, the possibility of over implication cannot be ruled out. Further, all the co-accused are enlarged on bail. Having regard to these circumstances, I am inclined to exercise discretion in favour of the Applicant.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Chetan Desel Kale, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 513/2025 registered with Bidkin Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 109, 79, 189(2), 191(2), 191(3), 190, 351(2) of Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court.
 - (c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and

phone numbers of the Applicant and two of the near relatives.

(d) The Applicant shall not enter the village Bazartal Bidkin till conclusion of the trial.

(e) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move concerned Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

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