



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 BAIL APPLICATION NO. 327 OF 2026

SHANKAR PANDHARI ABDAGIRE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Salunke Sudarshan J.

APP for Respondent/s-State : Mr. N. R. Dayma.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 09.04.2026

PER COURT :-

1. Heard both sides.
2. The applicant is seeking enlargement on bail in respect of offence bearing Crime No.370 of 2025, registered with Parbhani Rural Police Station, District Parbhani for the offences punishable under Sections 109, 118(1), 351(2), 352, 3(5) of Bhartiya Nyaya Sanhita.
3. It is reported by informant Ram that there was assault on 01.09.2025 at 8.00 p.m. by applicant and his companions Lakhan, Suresh and Ashok on informant on count of previous disputes. Applicant is alleged to have inflicted injuries by knife on Lakhan on his chest and back. He is alleged to have inflicted injuries on Suresh and Ashok by metal ring.

Accordingly, First Information Report bearing Crime No.370 of 2025 is registered.

4. Before registering the above referred offence, Crime No.369 of 2025 was also registered at the instance of present applicant against informant Ram and other five (5) persons in respect of assault occurred at almost same time. In the said assault, Arjun and Karan sustained injuries. Arjun succumbed to the injuries. The investigation was completed and charge-sheet was filed.

5. In the above background, learned counsel Mr. Salunke submits that a fight between two groups took place at the relevant time. Members of both the groups received the injuries. The plea of private defence cannot be ruled out. My attention is adverted to injury certificates and weapon query reports. The allegations are said to be exaggerated and there are suppression of material facts.

6. Per contra, learned APP submits that in all seven (7) eye witnesses are consistent with the prosecution story including injured witnesses. The recovery of knife has been made at the instance of applicant. The theory of private defence is misconceived because the injury certificate of Lakhan shows multiple injuries on chest and back.

7. I have gone through First Information Report in Crime No.370 of 2025 as well as 369 of 2025. In the present matter, applicant is alleged to have assaulted Lakhan with knife and Suresh and Ashok by metal ring. In the cross complaint, Arjun and Karan are assaulted by present informant Ram. He is alleged to have inflicted blows by knife to Arjun who ultimately succumbed to the injuries.

8. I have gone through spot panchnama. Considering the location and the involvement of the persons, there is every possibility that both the offences took place almost at the same time. The assault of Arjun should have been reflected in the present Crime No.370 of 2025.

9. It reveals from record that Crime No.369 of 2025 was registered first in time which shows attack on Arjun. There is a room to infer that due to attack by the present informant and his companions on Arjun, applicant and his supporters might have been surprised and retaliated. The plea of private defence is possible to be raised. The plea needs to be tested during the course of trial. No antecedents are reported against the applicant. The injury certificates of Lakhan and other injured persons need to be dealt with during the course of trial.

10. Applicant is arrested on 02.09.2025. Charge-sheet is filed on 27.11.2025. There is sufficient incarceration of the applicant. He deserves to be released on bail on certain conditions. I, therefore, pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SHANKAR PANDHARI ABDAGIRE** shall be released on bail in Crime No.370 of 2025, registered with Parbhani Rural Police Station, District Parbhani for the offences punishable under Sections 109, 118(1), 351(2), 352, 3(5) of Bhartiya Nyaya Sanhita on furnishing P. R. bond of Rs.40,000/- (Rupees forty thousands only) with one solvent surety of like amount on the following conditions :
 - (a) The applicant shall not contact the prosecution witnesses and tamper the prosecution evidence.
 - (b) The applicant shall stay away from village Nandkheda, Taluka and District Parbhani till conclusion of the trial and he shall report his whereabouts and contact number to the Investigating Officer.

- (c) The applicant shall co-operate for expeditious trial.
- (iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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