



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 465 OF 2026

Gorakh Kailas Patil,
Age 36 years, Occ. Labour,
R/o. Khadki Bk Tq. Chalisgaon,
Dist. Jalgaon.

... Applicant

VERSUS

The State of Maharashtra,
Through: Chalisgaon City Police Station ... Respondent.

...
Advocate for Applicant : Mr. K. P. Chaware
A.P.P. for Respondent/State : Mr. G.O. Wattamwar

CORAM : SHAILESH P. BRAHME, J.

DATE : 24.03.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 363/2025, registered with Chalisgaon City Police Station, for the offences punishable under Section 109, 351(2), 352 of Bharatiya Nyaya Sanhita, 2023.

3. The applicant is arrested on 25.08.2025. Charge-sheet is filed on 31.10.2025. After filing of the charge-sheet this is the first bail application before High Court.

4. It is alleged in the first information report that informant and the applicant were consuming liquor on 14.08.2025. Informant was offered liquor by the applicant, which was denied. There was scuffle between them and applicant alleged to have stabbed informant by knife. The informant

was hospitalized. He was treated for three days.

5. Learned counsel for the applicant submits that the injury inflicted on the body of the informant is not serious. He was discharged from the hospital after three days. It is submitted that the applicant is falsely involved in the offence. There is no premeditation or *mens rea*. It is submitted that the statement of the so-called eye witness is unreliable. The medical certificate does not corroborate the prosecution story.

6. The learned A.P.P. submits that Meerabai is the eye witness. The medical papers support the prosecution theory. It is submitted that applicant was carrying a weapon. There is clinching material against him.

7. The police papers, including first information report and the statements of the witnesses do not disclose that there was any enmity between the applicant and the informant. They were consuming liquor at the relevant time. Due to some exchange of words, the assault is committed. I do not find there exist any *mens rea* or premeditation to commit the offence.

8. The statement of Meerabai shows that she was eye witness. The injury certificates support the prosecution theory. There are no antecedent as against the applicant. The assault in question cannot be said to be brutal. It appears that informant was discharged from the hospital after three days. The investigation is over. There is no point and purpose in detaining him in jail.

9. The Bail Application is allowed.

10. The applicant shall be released on bail in connection with Crime No. 363/2025, registered with Chalisgaon City Police Station, for the offences punishable under Section 109, 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 on following conditions:

(a) The applicant shall furnish P.R. bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one solvent surety of like amount.

(b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

(c) The applicant shall furnish his mobile/cell number and address to the investigating officer.

(d) The applicant shall stay away from village Khadki
(bk) Tq. Chalisgaon Dist. Jalgaon till conclusion of the trial.

11. Bail application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-