



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 539 OF 2026

SAMARTH ALIAS ARYAN BHAGWAT KANDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Yogesh G. Birajdar h/f Mr. Shinde
Namdev Shatrughan.
APP for Respondents-State : Mr. G. O. Wattamwar.
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CORAM : SHAILESH P. BRAHME, J.
DATE : 06.04.2026

FINAL ORDER :-

1. Heard both sides.
2. The applicant is seeking enlargement of bail in respect of offence bearing Crime No.63 of 2026, registered with MIDC Latur Police Station, District Latur, for the offences punishable under Sections 109(1), 351(2), 352, 189(2), 189(4), 190, 191(3) of Bhartiya Nyaya Sanhita and Section 4, 25 of Arms Act.
3. It is alleged that informant was assaulted by main perpetrator Ganesh on 04.02.2026 in between 5.00 to 6.00 p.m. Thereafter, Ganesh along with other co-accused had an encounter with the informant in between 9.30 to 10.00 p.m.

Informant was assaulted by scythe by Nitin and Ganesh. One unidentified person pelted stone on him.

4. Learned counsel for the applicant submits that applicant is not named in the FIR. There is no material against him to indicate his involvement. He had no motive or intention to commit assault on the victim. He is behind bar since 18.02.2026.

5. Per contra, learned APP would point out that applicant was associated with other accused. He had videographed the incident by mobile of the main perpetrator Ganesh. The investigation is under way. The victim sustained grievous injuries. The custodial interrogation is required because co-accused were under the influence of drug.

6. First Information Report does not spell out presence or any incriminating role of the applicant. It reveals from the supplementary statement of the informant that applicant was recording the incident at the say of co-accused Ganesh. The statements of the witnesses do not attribute any participation of the applicant in assault. Even the pelting of stone cannot be attributed to the applicant. He was not armed with any weapon.

7. I have gone through Medico Legal Certificate. The injuries cannot be attributed to the applicant. Only one out of two is grievous. Further detention of the applicant is not necessary. I, therefore, pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SAMARTH ALIAS ARYAN BHAGWAT KANDE** shall be released on bail in Crime No.63 of 2026, registered with MIDC Latur Police Station, District Latur, for the offences punishable under Sections 109(1), 351(2), 352, 189(2), 189(4), 190, 191(3) of Bhartiya Nyaya Sanhita and Section 4, 25 of Arms Act on furnishing P. R. bond of Rs.15,000/- (Rupees fifteen thousands only) with one solvent surety of like amount on the following conditions :
 - (a) The applicant shall stay away from Latur till filing of the charge-sheet and he shall furnish his address and mobile number/s to the Investigating Officer.
 - (b) The applicant shall report concerned Police Station on every Sunday between 10.00 a.m. to 3.00 p.m. till filing of the charge-sheet.

- (c) The applicant shall not contact the prosecution witnesses and tamper the prosecution evidence.
- (iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-