



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 699 OF 2026

Nishant @ Bunty Nandu Argade,
Age : 25 years, Occu. : Student,
R/o : Argade Mala, Tq. Sangamner,
Dist. Ahilyanagar .. Applicant

Versus

The State of Maharashtra
Through Police Inspector,
City Police Station, Sangamner,
Dist. Ahilyanagar .. Respondent

Shri Nitin S. Salunke, Advocate for the Applicant.
Shri S. V. Hange, A.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.
DATE : 29TH APRIL, 2026.

ORDER :1

Heard both sides.

2. Applicant is seeking enlargement on bail in connection with Crime No. 1025/2025 registered with Sangamner City Police Station, Tq. Sangamner, Dist. Ahilyanagar for the offences punishable U/Sec. 109, 49, 60, 61, 238, 115(2), 351(2) r/w 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sec. 4 and 25 of the Arms Act.

3. Applicant was arrested on 26.11.2025. Chargesheet was filed on 30.01.2026. In this backdrop, this Court is dealing with the present application.

4. It is reported by mother of the victim – Sai that one Tanmay Gosavi related her the incident which occurred on 19.11.2025 at about 09.30 at Sangamner. On a previous day, there was quarrel in between applicant and one Nikhil Shinde, which was intervened by Sai. Being enraged, on the next day, the applicant assaulted Sai by scythe on his head but it was intercepted by left hand and the wrist was dismembered. He was immediately shifted to hospital for further treatment.

5. Learned counsel for the applicant submits that his client is falsely implicated in the offence. There is no independent witness to support the prosecution case. No medico-legal certificate was produced on record. There is no *mens rea* or any motive for the alleged offence. It was a crowded place where the incident took place but statements of the independent witnesses have not been recorded.

6. Per contra, learned APP submits that there are 4 eye witnesses to the incident, namely, Tanmay, Tejas, Kunal and Nikhil who are consistent. The medico-legal certificate is shown by the learned APP which shows that complete amputation below elbow left side lower 1/3rd with clean incised wound. It is further

submitted that applicant was armed with the weapon and there was a motive due to the incident which occurred on the previous day and incriminating material is collected against the applicant. He is a history-sheeter and not entitled to bail.

7. The informant is not the eye witness but Tanmay, Tejas and Kunal are the eye witnesses. Their statements would indicate that on 19.11.2025, applicant was armed with scythe and abruptly attacked Sai and his left palm was dismembered which was collected by Tanmay Gosavi. The medico-legal certificate which is of 13.02.2026 shows the following injury :

“Traumatic complete amputation below  side, lower 1/3rd with clean incised wound.”

The description of the injury does not match with the consistent account of the eye witnesses. The certificate which is shown to this Court, is prepared after filing of the chargesheet. No medical certificate is produced along with the chargesheet which is supplied to the applicant. A doubt is created regarding the prosecution case.

8. It reveals from the account of the eye witnesses that on 18.11.2025, a quarrel took place in between applicant and one Nikhil Shinde and Sai had intervened, which was not liked by the applicant. On 19.11.2025, at the relevant time, Sai was abruptly attacked by the applicant. The motive or the *mens rea* appears to be dicey in the present case. There was no exchange

of words. No previous enmity between applicant and victim Sai. No motive is forthcoming for the applicant to take such a drastic stage of eliminating the victim. The occurrence of assault cannot be disputed at this stage of the proceeding. It would be a matter of trial to examine whether there was intention to eliminate the victim or not. The weapon also has not been recovered.

9. The applicant is behind bars since 26.11.2025. Further interrogation of the applicant is not required. I am of the considered view that applicant needs to be enlarged on bail by imposing certain conditions.

10. I, therefore, pass the following order :-

O R D E R

A. The bail application is allowed.

B. Applicant – Nishant @ Bunty Nandu Argade shall be released on bail in respect of Cr. No. 1025/2025 registered with Sangamner City Police Station, Tq. Sangamner, Dist. Ahilyanagar for the offences punishable U/Sec. 109, 49, 60, 61, 238, 115(2), 351(2) r/w 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sec. 4 and 25 of the Arms Act on condition of furnishing P. R. bond and S. B. of Rs. 1,00,000/- (Rs. One Lakh only) with one or two solvent sureties of like amount.

- C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.
- D. The applicant shall cooperate in expeditious disposal of trial.
- E. The applicant shall surrender his Aadhar and Pan cards to the investigating officer.
- F. The applicant shall not enter Sangamner city, Tq. Sangamner, Dist. Ahilyanagar till conclusion of the trial, save and except attending the dates of trial.
- G. The applicant shall furnish his address and mobile number to the Investigating Officer.
- H. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

arp/-