



IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

BAIL APPLICATION NO. 727 OF 2026

TANAJI WAMANRAO DESALE
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. R. S. Pawar
APP for Respondent/s-State : Mrs. P. V. Diggikar

CORAM : SHAILESH P. BRAHME, J.
DATE : 04.05.2026

PER COURT :-

1. Heard both sides.
2. The applicant is seeking enlargement on bail in connection with Crime No. 18 of 2026, registered with Sindhkeda Police Station, District Dhule, for the offences punishable under Sections 109(1), 115(2), 352, 351(2), 3(5) of Bhartiya Nyaya Sanhita, and under Sections 4/25 of Arms Act., under Sections 37(1)(c), 135 of Maharashtra Police Act.
3. Applicant was arrested on 27.01.2026. Charge-sheet is filed during the pendency of this application.
4. It is reported to the police that on account of political rivalry during the co-operative society elections, the applicant

appeared with a sword on 26.01.2026, threatened and abused the informant. Informant is alleged to have been assaulted by sword on head. The co-accused came there to assist the applicant. All these persons are again alleged to have assaulted and abused the informant.

5. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the case due to political rivalry and seeks release on bail. The investigation is complete and the injuries are simple in nature. It is contended that the photograph of brandishing of the sword was old one which is being used to prejudice the investigation.

6. Per contra, learned APP submits that the applicant has assaulted by sword on head. There is an eye witness, namely Atul. Statement under Section 183 has been recorded. Two antecedents are reported against the applicant. The weapon is recovered at the instance of the applicant.

7. It reveals from the papers of the investigation that there is political rivalry in village Bhadne Tq. Shindkheda. The incident in question is the outcome of the result of election. Applicant was seen with the sword. The Medico Legal

Certificate shows two simple injuries on buttocks, which is non vital part. The material on record is insufficient to infer that the intention was to eliminate the informant.

8. My attention is adverted to two offences registered against the applicant. The photograph tendered on record would indicate that applicant is seen brandishing the sword on previous occasion. As the investigation is over, I find no difficulty in granting relief on certain conditions. Hence, I pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Tanaji Wamanrao Desale shall be released on bail in Crime No. 18 of 2026, registered with Sindhkheda Police Station, District Dhule, for the offences punishable under Sections 109(1), 115(2), 352, 351(2), 3(5) of Bhartiya Nyaya Sanhita, and under Sections 4/25 of Arms Act., under Sections 37(1)(c), 135 of Maharashtra Police Act 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 tamper with the prosecution evidence and contact the prosecution witnesses.
 - (b) The applicant shall stay away from village Bhadne, Tq. Shindkheda till conclusion of the trial, save and except attending the dates of trial.
 - (c) The applicant shall inform his whereabouts, contact number and address to the Investigating Officer.
 - (d) The applicant shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.
 - (e) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.
 - (f) The Applicant shall desist from indulging in such type of overt acts.
- (iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

B. S. Joshi