



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

**BAIL APPLICATION NO. 750 OF 2026**

Sanket Babasaheb Tarde  
Age : 25 years, Occ. Agri.,  
R/o. Burudgaon, Tq. Nagar,  
Dist. Ahilyanagar

... Applicant

VERSUS

The State of Maharashtra,  
Through the Police Inspector,  
Belwandi Police Station  
Dist. Ahilyanagar

... Respondent

...  
Advocate for Applicant : Ms. Avantika S. Kharade along with Mr. R.R. Karpe  
A.P.P. for Respondent/State : Mrs. P.V. Diggikar

**CORAM : SHAILESH P. BRAHME, J.**

**DATE : 06.05.2026**

**PER COURT :**

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No.411 of 2025, registered with Belwandi Police Station, Dist. Ahilyanagar for the offences punishable under Section 109, 119(2), 118(1), 118(2), 189(2), 189(4), 190, 191(2), 45, 49 of Bharatiya Nyaya Sanhita, 2023, under section 4/25 of Arms Act.

3. It is reported to the Police that there was previous rivalry between informant – Dnyandeo and co-accused Dadasaheb Sable. The incident took place on 30.11.2025 in a farm between Chikhli to Koregaon. The applicant along with co-accused are alleged to have arrived there with weapons to take revenge of the informant. Informant is assaulted by them. The applicant is alleged to have

assaulted informant by scythe. In pursuance, offence was registered. Applicant was arrested on 03.01.2026. Charge-sheet is filed on 05.03.2026. In this backdrop, I have heard learned counsel for the applicant and the learned APP.

4. Learned counsel for the applicant submits that there is inordinate delay of 6 days in lodging the FIR. The previous enmity is attributable to co-accused. Applicant is falsely implicated and there can be no motive on his part. The injuries on the victim are not inflicted at the instance of the applicant. The eye witnesses also do not state any specific role except attributing his presence at the relevant time.

5. Per contra, learned APP submits that there are 3 eye witnesses, namely, Atlaf, Pramod and Avinash. The medico-legal certificate of informant and Avinash would corroborate the prosecution story. My attention is adverted to the *panchanama* which disclose recovery of stick, scythe and iron rod at the instance of the applicant.

6. It reveals from the FIR and the statements of the witnesses that the rivalry was between informant and co-accused Dadasheb Sable. There is no material on record to indicate that the applicant had any specific *mens rea* or motive to take revenge of the informant. The presence of the applicant is apparent at the relevant time. He is seen armed with scythe. The material on record would further indicate that the applicant participated in the assault. The allegations of assault are omnibus. Other accused were also armed with weapons. It can be inferred that applicant assaulted on legs of the informant which is non vital part of the body.

7. The medico-legal certificate of the informant would indicate 6 grievous injuries. Out of them, injury no. 1 and 2 are on non-vital part of the body. The applicant can not be solely attributed for them. Objective scrutiny is required to attribute specific role to the applicant.

8. The recovery at the instance of the applicant, cannot be said to be inculpatory. The injury certificate of other eye witness Avinash shows 2 grievous injuries and 1 simple injury. There is no material to indicate conclusively that applicant was the author of the injuries. No criminal antecedents are reported against them. No further incarceration is required.

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

#### **ORDER**

I] The Bail Application is allowed.

II] The applicant shall be released on bail in connection with Crime No.411 of 2025, registered with Belwandi Police Station, Dist. Ahilyanagar for the offences punishable under Section 109, 119(2), 118(1), 118(2), 189(2), 189(4), 190, 191(2), 45, 49 of Bharatiya Nyaya Sanhita, 2023, under section 4/25 of Arms Act, on following conditions:

(a)The applicant shall furnish P.R. bond of Rs.40,000/- (Rs. Forty 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 co-operate for expeditious disposal of the trial.

(e) The applicant shall surrender Adhaar / PAN Cards, if any, to the Investigating Officer.

**( SHAILESH P. BRAHME, J.)**

arp/-