



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 BAIL APPLICATION NO. 838 OF 2026

RAJENDRA BAPURAO BHARATE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Undre Vikram Shivaji

APP for Respondent/State: Mr. V. K. Kotecha

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CORAM : SACHIN S. DESHMUKH, J.

Date : 10.06.2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 29.03.2026 bearing Crime No. 113 of 2026 registered with Washi Police Station, Taluka Washi, District Dharashiv for the offences punishable under Sections 109, 115(2), 351(2), 351 (3), 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The learned counsel for the applicants submits that the applicant is falsely implicated in the crime. The FIR is lodged due to a prelude on account of the boundary dispute of an agricultural land. The applicant is an old person aged 50 years and the only earning member of the family. The applicant has no criminal antecedents. The necessary recovery is already effected by the investigating agency. As such, further detention of the applicant is not required. Hence prayed to allow the

application.

3. Per contra, the learned APP submits that the applicant has given blows with the weapon on vital part of the body, which disentitle him relief of grant of bail.

4. Having heard the submissions from both the sides and perusal of the record including investigation papers indicates that the alleged incident appears to have taken place in the spur of moment. And given the nature of injuries to be simple. As such, prima facie, there is absence of intent for the offence punishable under Section 109 of the BNS and nature of injuries. Therefore, I am inclined to exercise discretion in favour of the applicant. However, by imposing stringent conditions. Accordingly, following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – RAJENDRA BAPURAO BHARATE be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 113 of 2026 registered with Washi Police Station, Taluka Washi, District Dharashiv for the offences punishable under Sections 109, 115(2), 351(2), 351 (3), 352, 3(5)

of Bhartiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall attend the concerned Police Station as and when directed by the Investigating Officer in writing.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (e) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move concerned Court seeking cancellation of bail.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

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