



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

ANTICIPATORY BAIL APPLICATION NO. 559 OF 2026

**NIKHIL DILIP ZINJURDE
VERSUS
THE STATE OF MAHARASHTRA.**

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Ms. Sakshi Dushing h/f. Mr. S.B. Dushing, Advocate for the applicant
Mr. R.K. Ingole, APP for respondent.

CORAM : MEHROZ K. PATHAN, J.

DATE : 28TH APRIL, 2026.

P.C. :-

1. The applicant has approached this court seeking anticipatory bail in connection with Crime No. 1209 of 2025 registered with Kotwali Police Station, District Ahilyanagar, for the offences punishable under Sections 109-1, 115-2, 189-2, 190, 191-1, 191-2, 351-2, 352, 174 of the Bhartiya Nyaya Sanhita.

2. The case of the prosecution is that, the complainant Chetan Agrawal is the resident of Anandbag, Burudgaon Road, Ahilyanagar. On 30.12.2025, at about 1.00 p.m. he had been to the office of the Municipal Corporation for filing up the form of the Councillor contesting election from their Municipal Ward. At that time, the accused Vikas Zinjurde and Datta Zinjurde asked him to work for them in the election, otherwise threatened him of dire consequences. The applicant did not take it seriously. On 31.12.2025, at between 11.30 p.m. and 1.00 p.m., when he was standing in front of the Kohinoor Kirana Store at Bhosale Akhada, accused Vikas Zinjurde, Datta Zinjurde, Prashant Zinjurde, Mahesh Zinjurde, Hrishikesh Choudhari, Yogesh Gund, Vinod Jadhav came there and started abusing. At that time Vikas Zinjurde, Datta and Yogesh had

iron sickle in their hand. Vikas Zinjurde (present applicant) dealt a blow of iron sickle on his head saying, “ today, you will not be spared alive”. The blow resulted in bleeding injuries. The other accused also assaulted him with fist and kick blows. The informant fainted and as such, the people gathered there admitted him in Pacific Hospital. Hence, the offence was registered.

3. The learned counsel for the applicant submits that the applicant is falsely implicated in the present crime due to political rivalry. There is a material discrepancy in the FIR itself, inasmuch as, the name of the present applicant is “Nikhil”, whereas, the name of accused mentioned in the FIR is “Vikas”. The FIR is lodged with ulterior motive to implicate the applicant alongwith his family members. The CCTV footage does not support the version of the informant. The other accused in the crime are already released on bail by the learned Sessions Judge, Ahilyanagar. As such, on the ground of parity, the applicant is entitled to be released on bail. The informant has obtained a similar injury certificate from the same Hospital dated 12.5.2024. As such, there is a doubt about the authenticity of the medical certificate obtained by the informant. The applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, the applicant may be protected.

4. The learned APP – Mr. Ingole and Mr. Satyajit B. Pawar, the learned counsel assisting the prosecution vehemently oppose the application on the ground that the applicant is involved in a serious offence. The applicant is the main assailant. There is a direct role attributed to the present applicant of inflicting an injury on the head of the informant by means of an iron sickle, which resulted in bleeding injury. There are eye witnesses to the incident. They have stated in their statement to have seen the applicant assaulting the informant with an

iron sickle. The CCTV footage corroborate the presence of the applicant on the spot of incident. The applicant alongwith his accomplices have assaulted the informant with dangerous weapons. The informant has suffered grievous injuries on the head, which is a vital part of the body. The injury is grievous in nature. The applicant has a political background and is an influential person. Hence, there is every likelihood that if the applicant is released, will threaten the prosecution witnesses and the informant. As such, this is not a fit case to grant anticipatory bail. The application may, therefore, be rejected.

5. I have gone through the investigation papers made available by the learned APP. Perusal of the investigation papers shows that there are eye witnesses to the incident. The FIR shows that the applicant is the main assailant who has inflicted bleeding injury on the fronto-parietal region of the informant due to which he was admitted in the hospital in serious condition. There are eye witnesses to the incident. The eye witnesses – Vijay Fulsundar, Suraj Bhosale and Ketan Pund have clearly stated that they have seen the applicant inflicting a blow of iron sickle on the head of the informant and the other accused assaulting the informant by fist and kick blows. The blood stained clothes of the informant were also seized by the prosecution under Seizure Panchanama. The CCTV footage also shows presence of the applicant on the spot. The injury certificate issued by the Medical Officer from Pacific and Sonar Super Specialty Hospital, Kinetic Chowk, Ahmednagar, in respect of the informant Chetan Agrawal, shows that the informant has sustained CLW (sharp injury) on the Fronto-parietal Region of the head, having size of 6 x 1 centimeter, which is described as “Grievous”. Thus, the allegations in the FIR are corroborated by the Medical Evidence and the statements of the eye witnesses. The allegation that an identical certificate was issued from the same hospital i.e. Pacific and Sonar Hospital cannot be looked into at this stage. Moreover, the said FIR

pertains to a different accused wherein, the informant Chetan Agrawal is reported to have sustained grievous injury in the year 2024. There is no substance in the submission that the name of the accused mentioned in the FIR is “Vikas” Zinjurde, whereas, the name of the applicant is “Nikhil” Zinjurde, inasmuch as the eye witnesses, namely, Vijar Fulsunder, Suraj Bhosale and Ketan Pund have clearly stated in their statement that they are acquainted with the applicant – whose name is Nikhil alias Vikas Zinjurde.

6. Thus, it is clear that the applicant is involved in a serious offence of attempt to commit murder by using dangerous weapon, which is punishable with imprisonment for 10 years, which may extend to life imprisonment under Section 109(1) of BNS. He is a prime accused in the assault. There are eye witnesses to the incident. The nature of weapon allegedly used in the assault and the injuries sustained as a result of assault are corroborated by the Medical evidence. So far as the ground of parity is concerned, the other accused, who have been released are attributed a minor role in the assault, whereas, the applicant is a prime accused who has assaulted the informant with dangerous weapon like iron sickle. Hence, the principles of parity cannot be applied to the applicant. There is every likelihood that the applicant, if released on bail, may commit identical offence and may threaten the complainant and the prosecution witnesses as he has political affiliation. Considering these facts, in my opinion, this is not a fit case to exercise the discretionary powers under Section 482 of BNSS for releasing the applicant. The applicant has failed to make out a case for grant of anticipatory bail. Hence, the application for anticipatory bail is hereby rejected.

[MEHROZ K. PATHAN]
JUDGE.

grt/-