

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.665 OF 2026**

Nitin Vinayak Bhoir
Versus
State of Maharashtra

...Applicant

...Respondent

Mr. Ashwin R Kapadnis a/w Prashant Abhang, *for the Applicant.*
Ms. Poonam P Bhosale, *APP for the Respondent - State.*
API – R. D. Toradmal, Mumbra Police Station, Thane City, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 18TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 1749 of 2025 dated 30th October, 2025 registered with the Mumbra Police Station, for the offences punishable under Sections 310(2), 189(2), 189(4), 190, 191(2), 191(3), 351(2) and 352 of the Indian Penal Code, 1860 (for short '**IPC**').

2. The case of the prosecution, in brief, is that on 29th October, 2025 at around 10:15 a.m., while the Complainant was checking the time table near platform No.8 of Diva Railway Station, an unknown person aged about 20 to 25 years dashed him causing his mobile phone to fall down. When the complainant rebuked him the said person, he slapped him, pushed him on the ground and started moving towards nearby lane with the Complainant's belongings. It is alleged that the Complainant followed the person and threatened him. There was verbal altercation between the parties. The said person made a phone call to the present Applicant. The present Applicant arrived with five to six persons with him. There was a physical assault between the Complainant and the present Applicant. It is alleged that the Applicant and his companion assaulted the Complainant with a sharp weapon like chopper and while others assaulted Complainant on his back and both hands with wooden strips. Because of the said assault, the Complainant started to bleeding from his head and suffered dizziness. It is alleged

that when the Complainant went to Mumbradevi Hospital for medical treatment, the Applicant came there and threatened him. Accordingly, the Applicant was arrested pursuant to registration of the FIR. There are in all five accused. None of the co-accused have been enlarged on bail.

3. Mr. Kapadnis, learned counsel for the Applicant, submits that this is a case of false implication inasmuch as the Applicant had not assaulted the Complainant at all and it was some persons accompanying him who caught into an altercation with the Complainant and there was some quarrel between the Complainant and the other members of group. He submits that there is a discrepancy in the statement given by the Complainant in FIR and which is recorded in the Supplementary statement. He also submits that the injuries suffered by the Complainant are simple in nature. He, therefore, prays that the Applicant be enlarged on bail.

4. Ms. Bhosale, learned APP, submits that the offence is serious. She submits that the Applicant has as many as six

antecedents out of which two are of civil nature and in two offences he has been acquitted and two remain to be decided. She, therefore, prays that the application be rejected.

5. I have heard learned counsel for the respective parties and perused the record of the case with their assistance.

6. Admittedly, there is a discrepancy between the complaint given at the time of the FIR and the Supplementary Statement. The injury certificate records the injuries suffered by the Complainant as simple in nature. The Applicant is in custody since on 31st October, 2025. *Prima facie* there is no material available on record to indicate complicity of the Applicant in the alleged offence.

7. In view of the aforesaid, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;
- iii) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m.;
- iv) The Applicant shall deposit his passport, if any, with the Police Station concerned;
- v) The Applicant shall not leave India, without the permission of the Trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

8. Application is allowed in the above terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)