

MHAH010005272026 	Criminal Bail Application No. 145/2026 Arun Shahurao Gaikwad - Applicant. Vs. State of Maharashtra - Opponent.
Appearance :-	Ld. Advocate Shri Roman Sayyad for the Applicant. Ld. A.P.P. Shri R. L. Kolekar for the Opponent. Ld. Advocate Shri T. A. Pathan for the informant.

Order Below Exh.1 :-
(Delivered on : 31/01/2026)

- 1) Heard.
- 2) Crime bearing number 0947/2025 registered with the Shevgaon Police Station, Tal. Shevgaon, Dist. Ahilyanagar for an offence punishable under section 109(1), 115(2), 118(1), 118(2), 189(2), 190, 191(2), 191(3), 351(2)(3), 352 & 3(5) of BNS.
- 3) It is alleged that, on 08/11/2025 at 2-00 p.m. when the informant along with her son had been to market and when they were coming back at that time, near S.T. stand, Applicant and other accused persons picked up the quarrel with the husband of the informant on the pretext of old dispute and started beating him on his chest, stomach and head and also tried to kill him. Accused no.1 Kishor assaulted by knife on the hand of the husband of the informant. Applicant assaulted by the wooden rod on the head, back and stomach of the husband of the informant. Accused no.3 assaulted by iron rod to the husband of the informant. Accused no. 1, 3, 4 to 6 and other 8 to 10

persons unlawfully assembled and assaulted the husband of the informant. On these allegations, crime came to be registered.

4) It is the case of the applicant that, he is falsely implicated in this case and he is an innocent. There is no prima facie case against the applicant. There is previous dispute between the parties. Applicant was not present on the spot. Investigation is practically over. Applicant is ready to abide by the terms and conditions likely to be imposed by this court. Therefore prayed to allow the application.

5) Opponent filed their objection vide Exh.7 and submitted that, Offence is serious in nature. Iron rod and knife used in the crime are seized during the investigation. Wooden rod also seized at the instance of accused no. 5 and 6. Statements of the witnesses are recorded. Applicant is resident of the same vicinity where the informant resides, therefore there are chances that applicant may repeat the similar offence in future. Custodial interrogation of the applicant is necessary. If released on bail, he will threaten and pressurize the informant and witnesses. Investigation is in progress. Therefore prayed to reject the application.

6) In this matter, the informant intervened and filed her objection vide Exh.10 and prayed to reject the application as there is involvement of the applicant in the said crime.

7) On the submissions of the Ld. Advocates for the respective parties and going through the police papers produced for inspection by the Ld. APP, what can be gathered is that, the alleged muddemal used in the crime i.e. knife, iron rod and wooden rods are seized by the police. Statements of the witnesses are recorded. Panchanamas are drawn. Injury certificate came to be obtained by

the I.O. Perusal of the injury certificate reflects that, there are six injuries and all are simple in nature and the injured was given primary treatment by the Medical Officer at Rural Hospital at Shevgaon. Perusal of the injury certificate minutely, one will not find that assault was not made by iron rod. It is written by the Doctor on the instructions of injured in the injury certificate that, assault was by sword, knife and wooden rod. Though the major portion of the investigation is over, but as far as the applicant is concern, he is required to be interrogated as the allegation against him is that, he assaulted by wooden rod on the head of the husband of the informant. If we perused the injury certificate of the husband of the informant, one will find CLW over left pariental region of head. x-ray and CT scan are adviced by the medical officer. There finds prima facie involvement of the applicant in the said crime. As far as plea of albi is concern, that will be dealt with at the time of trial. In the result, the applicant is not entitle for an extra ordinary relief of pre-arrest bail Hence the order :

ORDER

Criminal Bail Application No.145/2026 stands rejected.

Date : 31.01.2026

(M. H. Shaikh)
Additional Sessions Judge,
Ahmednagar