

MHAH100003452026

Cri. Bail Application No.177/2026
(Tushar Jalindar Perhad @ Parad & Anr.
Vs. State of Maharashtra)

ORDER BELOW EXH.1

In connection with Cr. No.I-561/2023 registered with Kopargaon Taluka Police Station, under Section 324, 323, 504, 506, r/w. 34 and subsequently applied Section 326 of Indian Penal Code, Applicant/accused No.1 Tushar Jalindar Perhad @ Parad and No.2 Somnath Bharat Wagh have moved present anticipatory bail application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023.

2] Application is objected by the APP and I.O. by filing detail reply below Exh.10 and 11 respectively with prayer to reject the application.

3] The learned advocate of applicant/accused submits that the incident is of dated 26/11/2023 at 11:00 am and FIR lodged on 28/11/2023 at 5:20 pm so there is unexplained delay of more than two days. He also submits that there is no injuries on the vital part of the body of informant/victim. There is no recovery of weapon from the possession of present applicant/accused. The role of applicant/accused is limited and therefore their custodial interrogation are not required. Hence, the learned advocate of applicant/accused prayed for pre-arrest bail.

4] On the other hand, the learned APP that, the present applicant/accused were absconded and therefore still investigation is going on. As per the Medical Certificate there is on grievous

injury on the wrist and hand of the informant/victim caused by hard and blunt object. He also submits that custodial interrogation of applicant/accused are necessary and therefore they are not entitled for pre-arrest bail.

5] I have considered submission of both sides.

6] Perusal of FIR it is seen that the informant while taking treatment into the Shri. Janardhan Swami Hospital, Kokamthan gave statement to the police. As per the informant on dated 26/11/2023 at about 11:00 he received phone call of his friend Subhash Godhade and he communicated that the present applicant/accused and other three co-accused are abusing to his mother and aunt. Thereupon, the informant reached on the spot and questioned all the accused as to why they are abusing. It is alleged that the co-accused Bharat Wagh caused injury on right hand wrist arm and head of the informant by means of scythe. It is alleged that the present applicant/accused have assaulted on back and thigh of informant by means of wooden log. The another co-accused Changunabai assaulted to the mother and aunt of the informant by fist and kicks.

7] On considering the FIR it is seen that except assault by wooden log on back and thigh of the informant, there are no serious allegations as against the present applicant/accused. Their role appears to be very limited. The learned APP tendered injury certificate of informant/victim for perusal of the Court and it discloses grievous injury on wrist and arm of the informant caused by any hard and blunt object. There are no allegations against the

present applicant/accused that they have caused grievous injury by means of wooden log on the wrist and arm of informant/victim.

8] Considering the delay in FIR and date of incident i.e. 26/11/2023, I find that custodial interrogation of applicant/accused are not required. Hence, applicant/accused is entitled for pre-arrest bail subject to condition. Hence following order :

: ORDER :

1. Criminal Bail Application No.177/2026 is allowed.
2. In the event of arrest, in connection with Cr. No.I-561/2023 registered with Kopargaon Taluka Police Station, under Section 324, 323, 504, 506, r/w. 34 and subsequently applied Section 326 of Indian Penal Code, applicant/accused No.1 Tushar Jalindar Perhad @ Parad and No.2 Somnath Bharat Wagh be released on bail on execution of PB and SB of Rs.25,000/- each on following conditions :
 - a. Applicant/accused shall furnish documents of his/her/ their permanent residence and photo identity proof.
 - b. Applicant/accused shall not cause any obstruction into the ongoing investigation.
 - c. Applicant/accused shall appear before the Investigation Officer on every alternate Wednesday between 11:00 am to 1:00 pm and shall co-operate with the Investigation Officer.
3. Inform to the concern police station.
4. Application is disposed of accordingly.

Date : 14/08/2026
Place : Kopargaon.

(Deepak D. Almale)
Additional Sessions Judge,
Kopargaon.

