



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**BAIL APPLICATION NO. 230 OF 2025**

Nagesh @ Shubham S/o Gorakh Pawar,  
Age : 29 years, Occupation : Labour,  
R/o: Durga Nagar, Ladgaon Road,  
Taluka Vaijapur, District Chh. Sambhajinagar. ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr. S. G. Ladda, Advocate for the Applicant.  
Mr. V. M. Jaware, APP for Respondent-State.  
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**CORAM : ABHAY S. WAGHWASE, J.**

Reserved on : 27.03.2025

Pronounced on : 01.04.2025

**ORDER :**

1. Applicant seeks grant of regular bail on account of his arrest in crime no. 575 of 2024 registered at Vaijapur Police Station, District Ch. Sambhajinagar (Rural) for offences punishable under Sections 109, 309(4), 118(1), 115(2), 352, 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel pointed out that applicant is arrested in above crime on 18.09.2024. According to him, incident is a result of bickering on some previous incident. There are allegations of assault,

that too, by blunt, opposite side of axe blade. Learned counsel took this court through the injury certificate and pointed out that there is mismatch between nature of article used and nature of injury, rendering allegations doubtful. According to him, now investigation is over and charge sheet is already filed in December 2024 itself. However, according to him, still charge is not framed and applicant is behind bars since long i.e. almost seven months. According to him, no further recovery or discovery is to be made and as applicant is ready to abide all conditions imposed by this Court, he urges for grant of bail.

3. Learned APP opposes on the ground that offence of attempt to murder is registered. Injured suffered as many as 9 to 10 injuries. Applicant is habitual and he has created terror and fear in the village and for all above reasons, he opposes application.

4. Heard. Perused the papers. Informant Rahul gave report that 5 to 6 days back, he learnt from his younger brother Vishal that Yash Pawar and present applicant Nagesh Pawar abused him and forcibly took money from him and therefore, informant had questioned both of them. He further reported that on 16.09.2024, when he had been to a Hotel, he saw present applicant consuming liquor there. Seeing

informant, he came, took out the motorcycle keys, abused him and then gave call to his associates. Those persons came. Then it is reported that, Manoj and Amol reached there. Yash and Majoj had axe in their hand. Informant was given chase saying that he would not be spared. He reported that initially Yash assaulted him and then present applicant hit opposite side of blade of axe on his head and caused him injury.

5. On above report, crime has been registered. From the injury certificate, to which attention of this Court is invited by learned APP, it seems that there is graze abrasion on forehead, abrasions and contusions on both forearms and right lower limb and contusion on right buttock. Injury no. 2 on the left forearm is reported to be grievous and rest are simple injuries. Now investigation is over and charge sheet is already filed. Recovery is already effected. There are no immediate prospects of matter going for trial, as statement is made across the bar by learned counsel that even charge is not framed as on today. Consequently, this Court is inclined to grant relief of bail. Hence, I proceed to pass the following order:

#### **ORDER**

I. The application is allowed.

II. Applicant be released on bail in connection with Crime No. 575 of 2024 registered at Vaijapur Police Station, District Ch. Sambhajinagar (Rural), on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday between 11.00 a.m. to 02.00 p.m. till framing of charge and thereafter, shall regularly attend each and every effective date before the trial court.

**[ABHAY S. WAGHWASE, J.]**

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