



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

BAIL APPLICATION NO. 699 OF 2025

Yash S/o Gorakh Pawar
Age: 25 years, Occu.: Labour,
R/o : Durga Nagar, Tq.Vaijapur,
Dist.Chh. Sambhajinagar.Applicant

Versus

State of Maharashtra
(Through P.S. Vaijapur)Respondent

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Advocate for Applicant : Mr. Somnath G.Ladda
APP for Respondent : Mr.C.V.Bhadane

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 06 MAY, 2025

ORDER :

1. Present application is for grant of regular bail in consequence to arrest of applicant in crime no.0575 of 2024 registered at Vaijapur Police Station, District Chhatrapati Sambhajinagar, for offence under Sections 109, 309(4), 118(1), 115(2), 351(2), 352 read with 3(5) of the Bharatiya Nyaya Sanhita.

2. It is submitted that applicant is arrested in above crime on 03-12-2024. That, occurrence was a result of quarrel on minor ground. Learned counsel pointed out that allegation against present

applicant is that he used stick. He further pointed out that another accused namely Nagesh Pawar against whom there is allegation of use of butt of axe has been extended benefit of bail. Therefore, on the ground of parity also, it is his submission that applicant deserves similar treatment.

3. Learned APP opposed application on the ground that role of applicant is crystallized. That, applicant has used stick. That, assault is on head. That, injury is grievous. Therefore, for above reasons, application is opposed.

4. Heard. Perused the papers. FIR dated 17-09-2024 is at the instance of one Rahul Ambadas Kasbe. Substance of the FIR is that informant has younger brother namely Vishal, who resides in the neighbourhood. Informant claims that 5- 6 days back, his brother Vishal informed that Yash Pawar and Nagesh Pawar had abused him, beaten him and had forcibly taken money from him. Therefore, informant claims that he and his brother went to question Yash Pawar and Nagesh Pawar and at that time, both of them again allegedly issued threats. On 16-09-2024, it is alleged that at around 11:00 p.m. to 11:30 p.m. when informant was proceeding for purchasing

food, at that time, Nagesh Pawar and Yash Pawar, Amol Karhale, Manoj Gavade intercepted him and in the backdrop of previous quarrel, assaulted him by means of *Danda* (wooden stick) and butt of axe.

5. Learned APP has also submitted that allegation against applicant is of use of stick. Injury certificate placed on record shows that injury is suffered on forearm. Another accused namely Nagesh Pawar against whom there are allegation of use of butt of axe is granted bail by this Court. Chargesheet is reported to be filed on 13-12-2024. Case is reported to be not yet committed. Therefore, when future course of trial is uncertain, considering the nature of allegations, relief as prayed deserves to be granted. Hence, following order :

ORDER

- (i) The application is allowed.
- (ii) Applicant be released on bail in connection with Crime no.0575 of 2024 registered at Vaijapur Police Station, District Chhatrapati 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, except for attending Court dates.
- (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)
JUDGE