



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

926 BAIL APPLICATION NO. 844 OF 2025

PAWAN DATTARAM PAWAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Santosh C. Bhosle.
APP for Respondent / State : Mr. P. P. Dawalkar.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 23rd September, 2025.

P.C.:

1 Heard.

2 This is an application for granting regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.0104 of 2024, registered with Barad Police Station, District Nanded, for the offences punishable under Sections 103(1), 115(2) and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS").

3 The learned counsel for the applicant pointed out the report in which the informant averred that the quarrel took place on account of taking out *Murum* and when the father of the informant opposed to that and tried to convince the applicant and others, the

applicant started to assault him by sickle. Informant's father sustained injury to his head. At that time, other two co-accused also assaulted his father by kicks and fist blows. Thereafter, the father of the informant rescued. His father was taken to the hospital and after receiving the medical treatment, when he returned to home, he suddenly fell down due to the said injury and died on the spot. Therefore, the report was lodged.

4 The learned counsel for the applicant submitted that the incident took place all of a sudden. The applicant has roots in the society and he will not flee away from the trial. The trial will take long period. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime of murder, for which death penalty can be awarded to the applicant. If the applicant is released on bail, he will pressurize the prosecution witnesses and tamper with the evidence. There are eye-witnesses to the incident. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as the *postmortem* report. Without adverting to the merits of the case and considering the fact that the

incident took place all of a sudden, the applicant has no criminal antecedents, he has roots in the society, he will not flee away from the trial and the trial will take long period as well as on the principle that bail is rule and jail is exception, the application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.0104 of 2024, registered with Barad Police Station, District Nanded, for the offences punishable under Sections 103(1), 115(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.15,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - b) The applicant shall not enter into village Pardi (Vaijapur), Taluka Mukhed, District Nanded, till the conclusion of trial.

[SANJAY A. DESHMUKH, J.]