

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 BAIL APPLICATION NO. 1010 OF 2025

SURESH JAGDISH PAWARA

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. S.S. Ghodke
APP for Respondent/State : Mrs. A.S. Mantri

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CORAM : ARUN R. PEDNEKER, J.

DATE : 23/07/2025

P.C. :

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 16/2025 dated 28.1.2025 registered with Shirpur Taluka Police Station for the offence punishable under section 109 of B.N.S., 2023.
3. The case against the applicant is that he has assaulted the informant, who is his wife. In the FIR, it is stated that the applicant was taking doubt on the character of the informant and has assaulted the informant on various occasions before the incident. It is also stated in the FIR that understanding was also given to the applicant not to assault the informant. Eight years ago the applicant and the informant got married. Investigation in the matter is completed and chargesheet is also filed. As the bail application of the applicant is rejected by the learned Trial Court, present application is filed.
4. The learned counsel for the applicant submits that the injuries sustained by the informant are simple in nature and there are no antecedents against the applicant and the applicant is behind bars since 6/1/2025. The learned counsel therefore prays to release the applicant on bail.

5. The learned APP strongly opposed the application considering the nature of injuries sustained by the informant and prays for rejection of the application.

6. Having perused the above submissions and police papers, it appears that informant is wife of the applicant and informant has sustained six simple injuries. The applicant is behind bars from 6.1.2025. Chargesheet in the matter is filed. Investigation is completed and there are no antecedents against the applicant. Considering all above, no purpose would be served by keeping the applicant behind bars as it is not known when the trial would conclude. Considering the above, I deem it appropriate to grant bail to the applicant.

7. In view of the above, the application is allowed in the following terms :

- a] The applicant shall be released on bail in connection with Crime No. 16/2025 dated 28.1.2025 registered with Shirpur Taluka Police Station for the offence punishable under section 109 of B.N.S., 2023, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- b] The applicant shall not get himself involved in similar kind of offence.
- c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.
- e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

8. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

9. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/