



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

30 BAIL APPLICATION NO. 1277 OF 2025

GANGADHAR SAHEBRAO PARADKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Mukund P. Ambekar.

APP for Respondent / State : Mr. K. K. Naik.

Advocate for assist to PP : Mr. Vaibhav B. Dhage.

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

DATE : 06th October, 2025.

P.C.:

1 Heard.

2 Mr. Mukund P. Ambekar, learned counsel submits that he has instructions to appear for the applicant. In view of the said statement, the appearance of Mr. Sunil R. Chaware, learned counsel appearing for the applicant stands discharged.

3 This is an application for grant of regular bail in connection with Crime No.26 of 2025, registered with Usman Nagar Police Station, District Nanded, for the offences punishable under Sections 103(1), 118(1), 118(2), 115(2), 189(2), 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023.

4 The learned counsel for the applicant pointed out the report in which the informant averred that on 9th February, 2025, his maternal uncle's son, namely Pawan Shankar Rahire, was proceeding towards CIDCO, Nanded, on his motorcycle. When he reached Moklewadi Phata, co-accused Prajwal Sanjay Paradkar gave cut his motorcycle with his Ertiga car. Accordingly, a quarrel took place between them. Subsequently, the matter was settled and therefore, report was not lodged.

5 The informant further averred that on 10th February, 2025, in between 07:00 pm to 07:30 pm, a religious event (*Bhandara*) was being held at Hanuman Temple, Moklewadi and several villagers had gathered there. At that time, co-accused Prajwal along with his relatives, approached Pawan Rahire and started abusing and assaulting him by saying, "*Why did you obstruct my vehicle yesterday ?*" and began shouting loudly. The informant and his father, namely Manika Shesherao Mokale, his uncle Namdeo Shesherao Mokale, his maternal uncles Govind Kondiba Rahire, Padmakar Kondiba Rahire, and Digambar Shankar Rahire, and his cousins Maruti Pandhari Rahire and Kapil Digambar Rahire came there. When they reached near the house of co-accused Prajwal, the applicant and other co-accused had gathered there. They started to assault Pawan Rahire by fist blows and slaps. Meanwhile, the applicant brought an

axe from his house and assaulted on the head of the father of informant. Further, co-accused Prajwal brought iron tommy (iron rod from a tractor) and assaulted on the head of Govind Rahire. Co-accused Vijay Paradkar assaulted on the head of Padmakar Rahire with a sickle. The applicant also assaulted Digambar Rahire on his chest with the handle of an axe. Shivaji Rahire, Shankar Rahire and Vyankoba Rahire were also assaulted by sticks, kicks and fists blows.

6 The informant further averred that his father fell on the ground in a pool of blood. Thereafter, the informant, Janardhan Rahire and Pawan Rahire immediately took him to the Government Hospital at Vishnupuri, Nanded, where the doctor, after examination, declared that his father was no more. The report was lodged on the second day of the incident.

7 The learned counsel for the applicant submitted that all the co-accused are released on bail. The applicant has roots in the society and he will not flee away from the trial. The trial will take a long period. The applicant has no criminal antecedents. The investigation is over and the custody of the applicant is not necessary. The learned counsel for the applicant submitted that the applicant is entitled for bail on the ground of parity as all the co-accused are released on bail. It is lastly prayed to allow the application.

8 The learned APP for the State and the learned counsel assisting the prosecution strongly opposed the application and pointed out the role of the applicant that he assaulted the father of the informant on his head with an axe and he died on the spot. They pointed out the postmortem report as well as the injury certificates of the injured witnesses. The case is based on the evidence of eyewitnesses. The incident took place after the preparation. They submitted that considering the role of this applicant, the application cannot be allowed on the ground of parity. It is lastly prayed to reject the application.

9 Perused the charge-sheet, particularly, the report (FIR), postmortem report, injury certificates and the statements of the witnesses.

10 The incident took place on the second day of the earlier incident, even though the quarrel was settled. Serious assault was made on the part of the applicant's side and the father of informant died and three persons sustained serious injuries. Though the applicant has no criminal antecedents, his overt act is serious as he brought an axe from his house and assaulted the head of the father of informant. His role is serious and by his assault the father of informant

died. If the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper the evidence.

11 Considering all these aspects, the possibility of commission of a similar nature of crime again cannot be ruled out. Therefore, the applicant is certainly not entitled for bail on the ground of parity as well as on the principle that bail is rule and jail is exception. The application therefore, deserves to be rejected. The bail application is rejected.

[SANJAY A. DESHMUKH, J.]

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