



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2632 OF 2025

1. Chetan Sudam Nagare
2. Ajinkya @ Ajay Sudam Nagare
VERSUS
The State Of Maharashtra

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- Mr. Rohit D. Padaswar, Advocate h/f. Mr. N. S. Ghanekar, Advocate for Applicant
- Ms. R. R. Tandale, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 21.11.2025

PER COURT :

1. The applicant has approached this Court seeking relaxation of the conditions imposed while granting bail to applicant Chetan Nagare and nine other applicants in Crime No. 789 of 2025, registered with Police Station Hingoli (Town), for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 115(2), 118(1), 324(4) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 3, 4 and 25 of the *Indian Arms Act, 1959*.

2. The learned counsel for the applicant submits that Condition No. 5, imposed vide order dated 19.06.2025, is arbitrary inasmuch as the applicants are effectively restrained from entering almost the entire district. It is submitted that the applicants have not violated

any conditions and have scrupulously abided by the terms of the bail order. They have not entered Hingoli District as directed and are ready to abide by any further conditions except this one.

3. The learned counsel further submits that the co-accused, who are alleged to have played a similar role in the same crime, were released on bail by the learned Additional Sessions Judge, Hingoli. In their case, the condition imposed was only that they shall not enter Hingoli Taluka, whereas in the case of the present applicants, the condition restrains them from entering the entire Hingoli District until conclusion of trial. It is further pointed out that in the case of the co-accused, the restriction was only till filing of the charge-sheet, whereas in the case of the present applicants, it is till conclusion of trial, which the applicants contend is arbitrary and discriminatory. The applicants, being permanent residents of Hingoli District, therefore seek relaxation of Condition No. 5 to enable them to enter Hingoli District.

4. The learned APP strongly opposes the present application. She submits that the learned Sessions Judge, Hingoli, while passing the impugned order dated 19.06.2025, had made specific observations regarding the nature of the offences and the background of the case, warranting stringent conditions to be imposed to maintain law and order in the future. She submits that even though no subsequent

offences have been registered against the applicants, considering their criminal antecedents, the condition restraining them from entering Hingoli District until conclusion of trial was justified.

5. Upon perusal of the orders annexed with the present application, particularly the orders passed in Criminal Bail Application Nos. 616, 602, 582 and 46 of 2024 by the learned Sessions Judge, Hingoli, it appears that the co-accused therein were imposed with the condition not to enter Hingoli Taluka only till filing of the charge-sheet. Looking to the allegations in the First Information Report that nearly 100 persons had arrived at the spot on motorcycles armed with swords, *koytas* and pistols, and having regard to the background of the case, as well as the parity reflected in the bail orders of the co-accused, I am inclined to modify the condition imposed by the learned Sessions Judge, Hingoli, vide order dated 19.06.2025.

6. Accordingly, in place of the direction restraining the applicants from entering Hingoli District till conclusion of the trial, the said condition is modified to the following :-

A) “The applicants are directed not to enter Hingoli Taluka till the framing of charge by the learned Sessions Judge; however, they are permitted to enter the Taluka solely for the purpose of appearing before the Trial Court, as well as in any other cases, if any, pending against them.”

7. The application stands disposed of accordingly.

(MEHROZ K. PATHAN, J.)