



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

944 BAIL APPLICATION NO. 1551 OF 2025

**RAJESH ALIAS RAJU PRABHAKAR VASAVE
VERSUS
THE STATE OF MAHARASHTRA**

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Ms. Sarin Karishma Sanjay, Advocate for Applicant
Mr. P. P. Dawalkar, APP for Respondent/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 07.10.2025

PER COURT :-

1. Heard.
2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.134 of 2025, registered at Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 109(1), 132, 189(2), 191(2), 191(3), 190 and 121 of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951.
3. The informant averred in the report that the Surveillance Officer of the Forest Department and his superior officer had received secret information that a person named Rajesh @ Raju Prabhakar Vasave had stored wooden logs of teak and khair in Village Vagda,

Taluka Navapur. Accordingly, a raid was conducted by the forest squad and the information was found to be true. During the raid, it was found that the cut wood was concealed under stacks of wheat. When the squad was trying to seize the wood, the accused Rajesh @ Raju, Santosh, Sameer, Mehmood Pathan, Kailash Padavi and Anil Sonone came there in a Mahindra vehicle armed with Axes and wooden sticks and started abusing and threatening the forest staff. When Forest Guard Deepak Patil tried to intervene, accused Rajesh @ Raju struck him on the head with an axe, causing injury. Thereafter, the report was lodged.

4. The learned advocate for the applicant pointed out the injury certificate of Deepak Patil and submitted that it is not a case punishable under Section 109(1) i.e., attempt to murder. The applicant has roots in the society and he will not flee away from the trial. The charge sheet has already been filed and custodial interrogation of the applicant is not necessary. The trial will take a 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 has been booked for a serious crime. He attempted to assault a public servant, namely, the Forest Guard. If the applicant is released on bail, he will certainly pressurize the prosecution

witnesses and tamper with the evidence. The possibility of commission of a similar nature of crime again at the hands of the applicant cannot be ruled out. It is lastly prayed to reject the application.

6. Perused the charge-sheet, particularly the report, the injury certificate of Deepak Patil and the statements of witnesses. The charge sheet has already been filed. The applicant has roots in the society. The trial will take a long period. Therefore, without adverting to the merits of the case, it would be proper to grant bail to the applicant on the principle that bail is rule and jail is the exception. Hence, the following order:

::ORDER::

I. The application is allowed.

II. The applicant, in connection with Crime No.134 of 2025, registered at Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 109(1), 132, 189(2), 191(2), 191(3), 190 and 121 of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-

a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

b) The applicant, except on the dates fixed for hearing of the trial, shall not enter in village Vagda, Tahsil Navapur, District Nandurbar, for one year.

[SANJAY A. DESHMUKH, J.]

HRJadhav