



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2119 OF 2025

RODWA NANYA VASAWE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. A. R. Syed h/f Mr. S. P. Pandit
APP for Respondents-State : Mr. S. M. Ganachari
...

CORAM : SACHIN S. DESHMUKH, J.

Date : 2nd December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 30.06.2025 bearing Crime No. 86 of 2025 registered with Molgi Police Station, Nandurbar for the offences punishable under Sections 109(1), 118(2), 189(2), 190, 191(2) and 238 of Bhartiya Nyaya Sanhita, 2023 and Sections 4 read with 25 of the Indian Arms Act.

2. The prosecution case is that on 29.06.2025 at around 11.00 am, when the informant was working in the field along with the family members, the applicant / accused alongwith some unknown persons entered into the field with weapons. The uncle of the informant asked the informant to leave the adjacent land. Thereafter, all the accused assaulted the father of the informant with sickle and sword. Resultantly, a brawl ensued were the

informant and his family members got injured. Accordingly, the FIR came to be lodged.

3. The learned counsel for applicants submits that the informant and family members have encroached upon the forest land and in relation to the same, a complaint is filed on 14.08.2024 with the Forest Department. Therefore, the present FIR is an afterthought and the applicants are falsely implicated in the alleged crime to settle the scores. It is further submitted that the investigation is completed and the charge-sheet is filed. As such, further incarceration of the applicants is unjustified and accordingly, prayed to allow the application.

4. Per contra, the learned APP has vehemently opposed the application submitting that the victims have suffered grievous injuries. The offences are serious in nature and that there is prima facie involvement of the applicants in the alleged crime. Hence, prayed for rejection of the application.

5. Admittedly, accused No. 1 is the uncle of the informant. There appears to be civil dispute between the parties and the present altercation has arisen out of the same. Furthermore, the complainant has approached to the Forest Department against the

informant and his family members. Thus, prima facie, there is enmity between the parties on account of the civil dispute.

6. The FIR indicates that there is no specific role as against the applicants. Also, statements of witnesses are recorded by the Investigating agency and nothing is to be recovered at the instance of applicants.

7. Considering that the investigation is complete and the charge-sheet is filed, there is no reason to continue incarceration of the applicants. Therefore, keeping in view the peculiar facts and circumstances of the case, the right to liberty of the applicants needs to be upheld by imposing stringent conditions. In that view of the matter, the applicants deserve to be released on bail.

8. In the result, following order is passed :-

ORDER

(I) Application is **allowed**.

(II) Applicants – No. 1 Rodwa Nanya Vasawe, No. 2 Shivaji Rodwa Vasawe, No. 3 Kobya @ Kobis Rodwa Vasawe, No. 4 Dinkar Rodwa Vasawe, No. 5 Gorji Rodwa Vasawe, No. 6 Jaising Rodwa Vasawe and No. 7 Ravi Shivaji Vasawe be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) **each** with one or two local solvent sureties in

the like amount, in connection with Crime No. 86 of 2025 registered with Molgi Police Station, Nandurbar for the offences punishable under Sections 109(1), 118(2), 189(2), 190, 191(2) and 238 of Bhartiya Nyaya Sanhita, 2023 and Sections 4 read with 25 of the Indian Arms Act, on the following conditions :-

- (a) The applicants shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.
 - (b) The applicants shall attend the concerned Police Station on every Tuesday between 10.00 am to 12.00 pm till framing of the charge.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi