



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2298 OF 2025

AMIT RAMESH PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for applicant : Mr. Sudarshan J. Salunke
APP for the respondent – State : Ms. D.S. Jape
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 11 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 297 of 2025 dated 12.06.2025 registered with Vaijapur Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 103(2), 118(1), 118(2), 109(1), 115(1), 351(1), 351(2), 352, 189(1), 190, 191(1), 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023.

2. In relation to the incident dated 12.06.2025, at about 5.30 pm. to 6.00 pm., wherein the accused persons accompanied with another 2-3 unidentified persons, allegedly raised a quarrel with the cousin of the informant Abrar Arif Shaikh and friend Moin Muktar Shah, Shoib Asif Pathan. During the said scuffle, allegedly Gaurav stabbed Moin Shah with knife, causing his death.

3. The allegation is that the other accused assaulted Abrar Shaikh with fist and kick blows and thereafter, accused – Gaurav stabbed Abrar also causing serious injuries, pursuant to which the crime is registered and the accused persons and the applicant are arrested on 13.06.2025. Upon completion of the investigation, chargesheet is filed against all the accused for the aforesaid offences.

4. Learned counsel for the applicant submits that the applicant is not named in the FIR. Overt act is attributed to accused – Gaurav of inflicting blow with knife. It is a case of over exaggeration and over implication. Since the applicant is in custody, the investigation is completed and chargesheet has been filed, therefore, the further custody of the applicant is not warranted and prayed for grant of bail.

5. Learned APP has opposed the application, submitting that the applicant is involved in a serious offence and had accompanied assailants, one of them committed stabbing resulting into death of one individual while the other victim has also suffered grievous injury. Considering the participation of the applicant in the serious offence, it is requested to reject the application.

6. Upon considering the submissions of both sides and perusing the material on record, including the chargesheet and the complaint, *prima facie*, does not indicate any role or any specific overt act as against the present applicant. Equally, the statement of the witness, namely, Mobin Shaikh Khaja under section 183 of the Bharatiya Nagarik Suraksha Sanhita, also does not assign any role in the entire episode against the present applicant. As such, *prima facie*, it appears to be a case of over-implication. In any case, investigation is completed and chargesheet has been filed. In that view of the matter, case is made out for grant of bail.

7. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

(II) Applicant – Amit Ramesh Pawar, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 297 of 2025 dated 12.06.2025 registered with Vaijapur Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 103(2), 118(1), 118(2), 109(1), 115(1), 351(1), 351(2), 352, 189(1), 190, 191(1), 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) After his release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.
- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (e) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (f) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

[SACHIN S. DESHMUKH]
JUDGE

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