



(Corrected Copy : This order is corrected vide speaking to the minutes of the order dated 24.12.2025)

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

937 BAIL APPLICATION NO. 2293 OF 2025

ANKUSH MANGALSING NAIK
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Nilesh N. Desale
Public Prosecutor for Respondents : Mr. A. B. Girase

...
WITH BAIL APPLICATION NO. 2299 OF 2025

1. MOHAN MANGALSING MALI
2. KAILAS RAMESH PADVI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Bhushan Mahajan
APP for Respondents : Mr. S. G. Sangale

...
WITH BAIL APPLICATION NO. 2369 OF 2025

SUSHILKUMAR JAHANGIR PAWARA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Bhushan Mahajan
APP for Respondents : Mr. S. G. Sangale

...
AND
938 BAIL APPLICATION NO. 2294 OF 2025

ANKUSH MANGALSING NAIK
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Nilesh N. Desale
Public Prosecutor for Respondents : Mr. A. B. Girase

...
WITH BAIL APPLICATION NO. 2296 OF 2025

1. MOHAN MANGALSING MALI
2. KAILAS RAMESH PADVI

VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Nilesh N. Desale
Public Prosecutor for Respondents : Mr. A. B. Girase

...
WITH
BAIL APPLICATION NO. 2366 OF 2025

SUSHILKUMAR JAHANGIR PAWARA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Bhushan Mahajan
APP for Respondents : Mr. S. G. Sangale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 23-12-2025

PER COURT:-

1. The applicants seek regular bail in connection with Crime No.I-583 of 2025 dated 08.06.2025, registered with Nandurbar **City** Police Station, Taluka and District Nandurbar, for the offences punishable under Sections 61(2), 109(1), 190, 189(2), 191(2), 132, 121(2), 324(3)(5)(6), 118(1), 326(f), 125(a)(b), 324(3)(5)(6), 118(1), 326(f), 125(a)(b) of the *Bhartiya Nyaya Sanhita, 2023*, and Sections 3 and 7 of the Prevention of Damage to Public Property Act, 1984 and Sections 37(1)(3) and 135 of the Maharashtra Police Act; and Crime No.I-261 of 2025 dated 25.09.2025, registered with Nandurbar **Upnagar** Police Station, Taluka and District Nandurbar, for the offences punishable under Sections 61(2), 109, 223, 190, 189(2)(3)(4)(5)(9), 191(2)(3), 132, 121(1), 324(3)(4) and 49 of the *Bhartiya Nyaya Sanhita, 2023*, and Sections 3 and 7 of the

Prevention of Damage to Public Property Act, 1984 read with Section 3 of the Criminal Law Amendment Act as well as under Section 37(1)(c) and Section 135 of the Maharashtra Police Act. In the said crime, the applicants are arrested.

2. The learned counsel for the applicants submit that the applicants are falsely implicated in the alleged crimes. There are sweeping and omnibus allegations levelled against the applicants. No specific role or overtact is attributed to the present applicants. As such, prayed to allow the applications.

3. Learned A.P.P. has opposed the applications, submitting that the applicants, under the guise of protest, had instigated the public and caused damage to the public property. It is further submitted that the applicants were part of an unlawful assembly, thereby causing riots and injuring several persons including police officials. The learned A.P.P. further expressed the apprehension that, if the applicants were released on bail, there is a possibility of applicants fleeing away. Hence, prayed to reject the applications.

4. Upon considering the submissions and perusing the record that there was an on going protest by organization against the murder of one deceased Jay Raju Valvi. The said protest procession was supposed to reach the Collector office. During the same, the protest turned violent and resulted into destruction of public as well as private properties. In order to control the protest, the

police directed *lathi*-charge and used tear gas shells. In the process, certain officers got injured and first information reports came to be registered against total of 174 accused.

5. Apart from the aforesaid aspects, *prima facie*, there is nothing on record to show specific material as against the present applicants in the alleged crimes. *Prima facie*, it further indicates that the applicants appear to have been arraigned as 'accused' with general and sweeping allegations by the Investigating agency. Their further incarceration with material available on record, therefore, *prima facie*, appears to be unjustified.

6. The investigation is in progress for all intent and purpose. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicants as under-trial prisoners, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicants.

7. Hence, the following order:-

ORDER

- (i) Bail Applications are allowed.
- (ii) Applicants, Ankush Mangalsing Naik, Mohan Mangalsing

Mali, Kailas Ramesh Padvi and Sushilkumar Jahangir Pawara, be released on regular bail, upon their furnishing P.R. bonds in the sum of Rs.50,000/- (Fifty Thousand only) each with one or two local solvent sureties each, in the like amount, in connection with the above Crimes for the aforesaid offences, on the following conditions :-

- (a) The applicants shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- (b) The applicants, upon being released on bail, shall place on record of the trial Court the details of their Contact Numbers and detailed residential addresses with updates in case of any changes.
- (c) The applicants shall attend the police station on written notice as and when called by the Investigating Officer
- (d) In case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled
- (iii) Needless to state that the observations rendered herein-above are to the extent of consideration of the bail applications.

[SACHIN S. DESHMUKH]
JUDGE