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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 3180 OF 2025

Pawanraj Haribhau Borade .. Applicant
Vs.
State of Maharashtra .. Respondent

.....
Mr. Akshay Bankapur, learned Advocate for the Applicant.
Mr. T. G. Khan, learned APP for the Respondent-State.
Mr. Nitin V. Fulpagare-PSI, Ambad Police Station.
.....

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th AUGUST, 2025.

P.C.:

- 1.** Heard Mr. Akshay Bankapur, learned Advocate for the Applicant and Mr. T. G. Khan, learned APP for the State.
- 2.** By the present Application, the Applicant is seeking bail in Crime No.200 of 2025 registered with Ambad Police Station for the offences punishable under Sections 103(1), 351(2)(4), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short '**BNS**').
- 3.** There are 5 persons named as Accused in the said crime.
- 4.** Case of the prosecution is that Arun Varagad, Aniket Baraskar, Suraj Ingle and Prasad Revgade, had a quarrel with Sumit Sunil Deore. Said quarrel turn into a fight in which Sumit Sunil Deore was assaulted. Sumit Sunil Deore (deceased) succumbed to the injuries.

5. FIR was lodged at the instance of Sunil Subhas Deore i.e. father of the deceased Sumit. FIR named Arun Varagad, Aniket Baraskar, Suraj Ingle and Prasad Revgade.

6. Applicant was arrested on 15th March, 2025. Applicant is shown as Accused No.3 in the said crime. Two of the persons Accused are Children in Conflict with Law (CCL).

7. Criminal Bail Application No. 1003 of 2025 filed by the Applicant was rejected by the learned Additional Sessions Judge - 8, Nashik on 13th June, 2025.

8. Mr. Akshay Bankapur, learned Advocate for the Applicant, submits that the Applicant is neither named in the FIR/Complaint nor does the charge-sheet show any material to implicate the Applicant in the present crime. He submits that the entire charge-sheet does not disclose any material to even remotely show the involvement of the Applicant in the present crime. He submits that the Applicant is in jail from 15th March, 2025 without there being any proof of the Applicant being involved in the crime.

9. Mr. T. G. Khan, learned APP for the State, submits that the Applicant has been arrayed in the crime on the basis of a statement made by the co-accused. He fairly submits that apart from the said statement of a co-accused there is no other material against the Applicant to show the involvement of the Applicant in the present

crime.

10. I have perused the records with the assistance of the learned Advocates for the parties.

11. Applicant is not named in the FIR. Similarly, as submitted by Mr. Akshay Bankapur and confirmed by Mr. T. G. Khan, learned APP, there is no material on record indicating the involvement of the Applicant in the present crime. Considering the said facts, which are not in dispute, continuation of the Applicant in jail is not warranted. Applicant is therefore entitled to bail.

12. In view of the above, the present Bail Application is allowed, on the following conditions:-

(a) Applicant is directed to be released on bail in connection with Crime No. 200 of 2025, registered with Ambad Police Station, Nashik, upon furnishing P.R. Bond in the sum of Rs. 15,000/- each with one or two sureties each in the like amount, to the satisfaction of the Additional Sessions Judge-8 District, Nashik.

(b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing the facts to the Court or any police officer and Applicant shall not tamper with evidence.

(c) Applicant shall appear before the concerned Court as

and when cognizance is taken by the Court.

(d) Applicant shall furnish his residential address with proof and contact details/mobile numbers to the Investigating Officer.

13. Criminal Bail Application No.3180 of 2025 is allowed in the above said terms.

[ASHWIN D. BHOBE, J.]