



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2222 OF 2025

LAKHAN SURESH JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicants : Mr. Mahesh P. Kale
APP for Respondents-State : Mr. S. D. Ghayal

CORAM : SACHIN S. DESHMUKH, J.
Date : 6th January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 02.09.2025 bearing Crime No. 369 of 2025 registered with Parbhani Rural Police Station, for the offences punishable under Sections 103(1), 109, 126(2), 115(2), 352, 189(2), 189(4), 191(2) and 190 of the Bharatiya Nyaya Sanhita.

2. The prosecution's case is that on 30/08/2025 at about 5:00 pm, the informant, Shankar Abdagire, received a call from his brother, Arjun. Arjun reported that near the grocery shop, the accused, Rohan Jadhav, had verbally abused him with filthy language and threatened to stab. The informant advised his

brother to return home, stating they would address the matter later. Subsequently, the informant visited the house of Ramesh Jadhav (the accused's father) and requested him to reprimand his son.

3. The prosecution further alleges that on 31/08/2025 at approximately 9:00 pm, the informant's other brother, Karan, being abused by Rohan Jadhav. On 01/09/2025 at about 8:00 pm, while the informant was proceeding toward the Ganpati temple, he encountered Rohan sitting outside the grocery shop. When the informant questioned Rohan regarding the repeated abuse of his brothers, Rohan verbally abused him and charged at him. Simultaneously, Ramesh Jadhav and Ashok Jadhav joined the assault, beating the informant with fists and kicks. Ashok Jadhav then struck the informant on the head with an iron rod. The altercation ended when the informant's cousins, Balaji and Vitthal Abdagire, along with Balasaheb Mote, intervened to stop the attack.

4. Upon hearing the noise, the informant's father arrived and took him home. After, the informant, Arjun, and their father began driving in an auto-rickshaw to a hospital in Parbhani. A short

distance from their home, they were ambushed by five accused: Lakhan, Sham, Ramesh, Rohan, and Suresh Jadhav. The group stopped the auto and pelted stones at the windshield, forcing the occupants out.

5. The learned counsel for the applicants submits that it is a case of over implication as a counter to an FIR lodged by the accused, Ram. It is argued the allegations against the applicants are general and sweeping in nature. The investigation is complete and the charge-sheet has been filed. As such, no further incarceration of the applicants is warranted. Hence, the counsel prayed to allow the application.

6. Per contra, the learned APP invited the attention of the Court to the injury certificates of the victims, submitting that these accused persons forming unlawful assembly have facilitated accused no. 3 to inflict serious injury. He further submitted that the crime is of a serious nature and that there is sufficient material on record indicating the complicity of the applicants. It is contended that if the applicants are enlarged on bail, there is every possibility of them tampering with the prosecution evidence. Accordingly, he prayed for the rejection of the application.

7. Considering the submissions of both sides and having perused the material on record, including the charge-sheet, it is evident that the complaint is lodged against several persons and consists of general allegations leveled against all the accused. Admittedly, there are cross-complaints in relation to the incident in question. Prima facie, it appears to be a case of over-implication. Apart from this, the general allegations leveled against the present applicants pertain only to assault by means of fists and kicks. There are no criminal antecedents.

8. The investigation is complete for all intent and purposes. Resultantly, the chargesheet is filed. 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 applicant as an under trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favor of the applicant.

9. Hence, the following order :-

ORDER

(I) Application is **allowed**.

- (II) Applicants – No. 1 Lakhan Suresh Jadhav, No. 2 Shyam Suresh Jadhav, No. 3 Ramesh Tukaram Jadhav and No. 4 Suresh Tukaram Jadhav 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. 369 of 2025 registered with Parbhani Rural Police Station, for the offences punishable under Sections 103(1), 109, 126(2), 115(2), 352, 189(2), 189(4), 191(2) and 190 of the Bharatiya Nyaya Sanhita, on the following conditions :-
- (a) The applicants shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicants shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants 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.)