



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2309 OF 2025

Ganesh Murlidhar Sonawane

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. G. S. Shembole, Advocate for Applicant.

Mr. B. B. Bhise, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 13th JANUARY, 2026.

PER COURT :

1. The Applicant seeks regular bail in connection with Crime No. 376/2025 registered with Jawahar Nagar Police Station, Dist. Jalgaon for the offences punishable under Sections 109, 118(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on 16.10.2026 at about 8.30 pm, informant got to know that the present Applicant has severely beaten her son. She noticed injuries on the head and left leg of her son as a result of which was admitted in the hospital. Upon enquiry, injured informed her that there was some exchange of words between him and the Applicant. Being annoyed with the same, the Applicant went to his home and returned with one iron rod. He allegedly

assaulted the son of the Applicant on his head and leg. On the basis of this information First Information Report came to be lodged.

3. Learned Counsel for the Applicant submits that the alleged incident has occurred on the spur of moment and it is not pre-meditated. The injured is now discharged from the hospital. Furthermore, investigation in the crime is complete in all respect and as such no further incarceration of the Applicant is warranted. Hence, prayed to allow the application by putting the Applicant under stringent conditions.

4. Per contra, learned APP vehemently opposed the Application. It is contended that the act of the Applicant is pre-meditated and as such inflicted blow on the head of the complainant which has resulted into his hospitalization for almost 10 days. An apprehension is expressed that, if the Applicant is enlarged on bail he may tamper with the prosecution evidence. Hence, prayed for rejection of the Application.

5. Considering the submissions of both sides and having perused the material on record, including the charge-sheet, it is prima facie

evident that there was no pre-meditation on the part of the Applicant and the incident has occurred on the spur of moment. Prima facie, it appears to be a case of over-implication. The investigation is complete for all intent and purposes. Resultantly, the chargesheet is filed. 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.

6. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Ganesh Murlidhar Sonawane, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. Crime No. 376/2025 registered with Jawahar Nagar Police Station, Dist. Jalgaon for the offences punishable under Sections 109, 118(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.

(d) The Applicant shall attend the concerned Police Station on every Monday between 11.00 am and 12.00 noon.

(e) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state 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.)