



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

BAIL APPLICATION NO. 2485 OF 2025

PAWAN RAJKUMAR JIGALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Vaibhav B. Dhage
APP for Respondent : Mr. P. P. Dawalkar
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 06-01-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.281 of 2025 dated 02.12.2025 registered with Sonkhed Police Station, District Nanded, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 118(1), 115(2), 352 of the *Bharatiya Nyaya Sanhita, 2023* and Sections 37(1) and 37(3) of the Maharashtra Police Act.

2. The prosecution case involves an alleged assault that occurred on 25.11.2025 at approximately 10.30 a.m., the informant and his cousin brother went to water the crops. The brother remained at the cattle shed to feed the she-buffaloes. Suddenly, the informant heard his brothers screams and rushed to the scene. At that moment, accused Nos. 1 and 2 were holding sickle (*koyta*); accused Nos. 3 and 4 were assaulting the victim with sticks; and accused Nos.5 and 6 were also present. It is

alleged that when the informant intervened and asked accused No.2 why they were beating his brother, accused No.1 attempted to strike the informant on the neck with a sickle, reportedly because the informant had previously testified against him. The blow missed his neck but struck his left hand. It is further alleged that accused No.3 and 4 assaulted both the informant and his brother using sticks. Accused Nos. 5 and 6 then allegedly delivered kick and fist blows to the informant's face and attempted to kill him. A formal complaint was lodged based on this report, and the crime was registered.

3. The learned counsel for the applicant submits that the applicant is falsely implicated due to civil dispute and a clock of criminality is given to a civil dispute. It is further submitted that the applicant is of only 20 years and prosecuting his studies and has no criminal antecedents. Co-accused No.4 having similar role is released on bail on account of examination. Hence, prayed to release the applicant on ground of parity.

4. Learned A.P.P. has opposed the application, submitting that the offence is of serious nature. The accused including the present applicant assaulted the injured with an intent to kill. Further, the investigation is underway. Thus, apprehended the possibility of tampering with the prosecution witnesses as well as the evidence.

5. Having heard the respective counsel for both the sides and upon perusal of record including chargesheet, *prima facie*, it appears that the only role attributed against the applicant is of beating the injured with stick. Those are general in nature. The applicant is similarly situated to that of accused No.4, who is already enlarged on bail by the trial Court. Thus, the applicant is entitled for parity.

6. As far as the apprehension expressed by the learned A.P.P. is concerned, the same can be adequately taken care of by imposing stringent conditions. Hence, the order:-

7. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Pawan Rajkumar Jigale, 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.281 of 2025 dated 02.12.2025 registered with Sonkhed Police Station, District Nanded, for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190, 118(1), 115(2), 352 of the *Bharatiya Nyaya Sanhita, 2023* and Sections 37(1) and 37(3) of the Maharashtra Police Act, 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 and two of the near relatives.
 - (d) 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]
JUDGE