IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2518 OF 2025

MANGESH GAJANAN WAGH
VERSUS
THE STATE OF MAHARASHTRA

***

Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondents-State : Mr. C. V. Bhise

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WITH

CRIMINAL APPLICATION NO. 263 OF 2026
IN BA/2518/2025

RAMESH JAGANNATH PADASWAN
VERSUS
MANGESH GAJANAN WAGH AND OTHERS

***

Advocate for Applicant : Mr. Kshitij Surve (Assit to PP)

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WITH
CRIMINAL APPLICATION NO. 267 OF 2026
IN BA/2513/2025

RAMESH JAGANNATH PADASWAN
VERSUS
MANGESH GAJANAN WAGH AND OTHERS

***

Advocate for Applicant : Mr. Kshitij Surve (Assit to PP)

***

WITH
BAIL APPLICATION NO. 2513 OF 2025

MANOJ SUDHAKAR DANVE
VERSUS

THE STATE OF MAHARASHTRA
***

Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondents-State : Mr. C. V. Bhise

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CORAM : SACHIN S. DESHMUKH, J.
Date : 27th January, 2026

ORDER :-

1. The applicants have approached this Court seeking regular bail in connection with FIR dated 22.08.2025 bearing Crime No. 486 of 2025 registered with Cidco Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 103(1), 109(1), 190, 191(3), 115(2), 352, 49, 61(2) of the Bharatiya Nyaya Sanhita, 2023 alongwith Section 135 of the Maharashtra Police Act and Section 4 read with 25 of the Indian Arms Act.

2. It is the case of the prosecution that the Complainant is residing at Sambhaji Colony, Chhatrapati Sambhajinagar with his wife Mandabai Padaswan, son Pramod Padaswan, daughter Roshni, and grandsons Rudraksh and Vedant. At that time, the family was preparing for house construction and had stored construction gravel in the open space fronting their residence.

3. It is alleged that on 22.08.2025, approximately at 12:45 pm, while the complainant, his son Pramod, and grandson Rudraksh were inside their residence, the accused persons, Kashinath Nimone, Dnyaneshwar Nimone, Gaurav Nimone, Saurav Nimone, Shashikala Nimone, and Manoj Danve, assembled in front of the house. The accused began an unprovoked verbal assault, using abusive language directed at the complainant's family regarding the gravel placed on the road. When the complainant's son Pramod and grandson Rudraksh, exited the house to intervene, Kashinath Nimone commenced a physical assault on the complainant. As Pramod and Rudraksh attempted to restrain Kashinath, the other accused, Dnyaneshwar, Gaurav, Manoj, and Saurav, violently attacked Pramod.

4. It is alleged that during the scuffle, Pramod fell to the ground, at which point Dnyaneshwar Nimone repeatedly stabbed him in the back with a sharp knife. While the complainant attempted to flee, he was intercepted by Saurav, Manoj and Kashinath, who expressed a common intention to kill him. Following the instigation of Shashikala Nimone, who handed a knife to Saurav, the latter stabbed the complainant in the waist.

5. It is alleged that after the complainant collapsed,

Saurav and Kashinath further inflicted head injuries by striking him with a stone. When the grandson Rudraksh, rushed to assist the complainant, he was seized by Manoj Danve and Kashinath. Dnyaneshwar Nimone and Manoj Danve then used a knife to stab and injure Rudraksh. Simultaneously, when the complainant's wife, Mandabai, attempted a rescue, she was physically assaulted by Shashikala Nimone and other unidentified accomplices.

6. Following the assault, the injured were rushed to M.G.M. Hospital. While the complainant and Rudraksh were admitted for emergency treatment in the A.I.C.U. and accident departments, Pramod Padaswan succumbed to his injuries.

7. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offence. The learned counsel submits that regarding accused Manoj, the allegations are of a general and omnibus nature, i.e. started beating or caught the victims. The accused Manoj and Mangesh, are victims of false implication. As such, prayed to allow the application.

8. The learned APP and the learned counsel for respondent No. 1 opposed the application, submitting that the applicants mercilessly beat the deceased, who eventually succumbed to injuries. It is contended that the offence is serious in nature and

that there is sufficient material on record to establish the applicants' complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offence being repeated. Accordingly, it was prayed that the application be rejected.

9. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the name of applicant Mangesh is involved in the FIR, whereas in supplementary statement of Ramesh, the name of applicant Mangesh is absent in the alleged offence. Moreover, in relation to the applicants Manoj and Mangesh, the allegations are of a general in nature, claiming they "caught" or "beat" the victims. There is no specific attribution of a fatal or life-threatening injury.

10. The inconsistencies in the statements concerning the applicants' role and presence, fail to provide sufficient grounds to warrant continued incarceration. Furthermore, the investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of 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.

11. As such, further detention of the applicants 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 favour of the applicant. The apprehension expressed by the learned APP and learned counsel for informant about tampering with the prosecution witnesses can be adequately taken care of by imposing stringent conditions.

12. Hence, the following order:

ORDER

(I) The Bail Applications are **allowed**.

(II) Applicants – **Mangesh Gajanan Wagh** and **Manoj Sudhakar Danve** 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 Crime No. 486 of 2025 registered with Cidco Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 103(1), 109(1), 190, 191(3), 115(2), 352, 49, 61(2) of the Bharatiya Nyaya Sanhita, 2023 alongwith Section 135 of the Maharashtra Police Act and Section 4 read with 25 of the Indian Arms Act, 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 his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

(d) Breach of any of the conditions by the applicants would entail the cancellation of the bail.

(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.

(iv) Resultantly, pending criminal applications also stand disposed of.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi