



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

944 BAIL APPLICATION NO. 2522 OF 2025

1. Somnath Babu Padv
2. Vishvanath Babu PadvApplicants

VERSUS

The State of MaharashtraRespondent

Mr. S. A. Kulkarni, Advocate for Applicants.
Mr. G. O. Wattamwar, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.
DATE : 13th FEBRUARY, 2026.

PER COURT :

1. Applicants seeks regular bail in connection with Crime No. 327/2025 registered with Taloda Police Station, Dist. Nandurbar, for the offences punishable under Sections 109, 118(2), 117, 189(2), 190, 191(3), 115(2), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on 25.11.2025 at about 6.00 pm when uncle of the informant namely Kantilal was returning from land, met Vishvanath Padv who abused in filthy language and issued threats. Kantilal narrated the incident to the informant. Thereafter, at about 7.00 pm both went to the accused, accused Somnath, Babu, Vishvnth, Machindranath and Shivnath annoyed, abused and

threatened them. Accused Somnath assaulted informant on head and finger with the help of an iron sickle. Accused Vishwanath assaulted Kantilal with wooden log. Thereafter, they were admitted to hospital. On these allegations, First Information Report came to be registered.

3. Learned Counsel for Applicants submits that the Applicants are falsely implicated in the crime. The allegations levelled against the present Applicants are vague. The co-accused are enlarged on bail. Further, the injury certificate indicates nature of injuries as simple. It is therefore submitted that looking the nature of injuries and the fact that other accused are enlarged on bail, further incarceration of the Applicants is unjustified. Hence, prayed to allow the application.

4. Per contra, learned APP vehemently opposed the application submitting that the Applicants are involved in serious crime. It is further submitted that though the injuries are simple in nature, they are inflicted on vital parts which indicates intention of the Applicants disentiitling them from being admitted to bail. Further, the role of the

present Applicants is distinct from the co-accused. Hence, prayed to reject the application.

5. Upon considering submissions of both sides and on perusal of the record, the co-accused are enlarged on bail. Considering the fact that the injury certificate indicates nature of injury as simple, prima facie, it is a case of over implication. Having regard to aforesaid fact coupled with the fact that the co-accused are enlarged on bail, no fruitful purpose would be served by incarcerating the Applicants for indefinite period. I am, therefore, inclined to exercise discretion in favour of both the Applicants.

6. Hence, the following order :-

ORDER

(i) Application is allowed.

(ii) Applicants Somnath Babu Padvī and Vishvanath Babu Padvī, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) each with one or two local solvent sureties, in the like amount, in connection with Crime No. 327/2025 registered with Taloda Police Station, Dist. Nandurbar, for the offences punishable under Sections 109,

118(2), 117, 189(2), 190, 191(3), 115(2), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The Applicants shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The Applicants 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 Applicants 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) In case of breach of any of the conditions by the Applicants, it is open for the prosecution to move concerned Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)