



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.6 OF 2026**

Adarsh Ramesh Salunke

Age:- 23 years, Occ. Labour

R/o. Municipal Colony, Delhi Gate,

Ahilyanagar, Dist. Ahilyanagar

..Applicant
(Accused no.4.)

Versus

The State of Maharashtra,

Through the Police Inspector

Tofkhana Police Station,

Tq. and District Ahilyanagar

..Respondent

**WITH
CRIMINAL APPLICATION NO.345 OF 2026
IN
BAIL APPLICATION NO.6 OF 2026**

ROHAN JAYENDRA CHAVAN

VERSUS

THE STATE OF MAHARASHTRA

**AND
BAIL APPLICATION NO.7 OF 2026**

Harshal Laxman Sarsar

Age:- 20 years, Occ. Labour

R/o. Municipal Colony, Delhi Gate,

Ahilyanagar, Dist. Ahilyanagar

..Applicant
(Accused no.7.)

Versus

The State of Maharashtra,

Through the Police Inspector

Tofkhana Police Station,

Tq. and District Ahilyanagar

..Respondent

**WITH
CRIMINAL APPLICATION NO.346 OF 2026
IN
BAIL APPLICATION NO.7 OF 2026**

ROHAN JAYENDRA CHAVAN

VERSUS

THE STATE OF MAHARASHTRA

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Mr. R. R. Karpe, Advocate for Applicants.

Ms. R. R. Tandale, APP for Respondent No.1.

Mr. N. B. Patekar, Advocate to Assist to PP for Respondent No.2.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 13th MARCH, 2026

ORDER:-

1. The applicants seeks regular bail in connection with Crime No.791/2025 registered with Tofkhana Police Station, Dist. Ahilyanagar for offences punishable under Sections 111, 109-1, 126-2, 118-1, 189-1, 189-2, 190, 191-2, 191-3, 333, 324-4, 324-5, 61-2 of Bharatiya Nyaya Sanhita and Sections 37(1)(3) and 135 of Maharashtra Police Act.

2. The investigation was set in motion on the basis of information given by Rohan Jayendra Chavan. In nutshell it is alleged that accused Pawan and Shivam Pawar are resident of locality where informant also resides. They were convicted for offence lodged by informant. Enraged by their conviction, they used to harass informant and his family members. The informant had lodged report about misconduct on part of them. Both accused persons are operating PP gang in vicinity. On 22.07.2025, accused persons had installed C.D. System creating obstruction to traffic. On that count, there was some quarrel between informant's family members and accused persons. On 24.07.2025, accused persons followed informant who was proceeding on his moped. They were holding deadly weapons like

iron rod and wooden log. His aunt Geeta was present there. Accused persons hit informant's aunt Geeta causing injuries on her hand. They asked whereabouts of informant and damaged household articles. They broke door and entered into house. Accused Amol Gore injured informant by means of iron rod. Accused Shivam inflicted injury of sharp weapon to informant. Applicants/accused and other accused persons hit him by wooden log. Accused persons injured informant's wife who was trying to rescue him. Accused persons caused injury to other family members and gave threat to kill informant. Accused persons thrown stones, beer bottles on house of informant.

3. On the basis of aforesaid information, FIR came to be registered. The applicants have been arrested on 04.08.2025. They were remanded to PCR till 07.08.2025. Since then, they are behind bar. Before filing of charge-sheet, applicants had filed Bail Applications before Sessions Court, which were rejected. Even, Bail Applications moved before this Court were withdrawn. After filing of charge-sheet, applicants again moved Bail Applications before Sessions Court, which came to be rejected on 26.12.2025. Hence, these applications.

4. Heard learned Advocate appearing for applicants, learned APP for respondent-State and Mr. Patekar, learned Advocate appearing for respondent no.2, who assisted PP.

5. Perusal of FIR indicates that family of informant had enmity with accused Pawan and Shivam, who are residing in same locality. Previously on complaint given by informant, offence was registered against them and they were convicted. Naturally, they had grudged against informant. On 24.07.2025, accused persons entered into informant's house. They were holding iron rod, wooden log and other weapons. They broke open door. Firstly accused Amol Gore inflicted blow of iron rod on informant's head. Thereafter, accused Shivam inflicted blow of sharp weapon on forehead of informant. Thereafter, accused Prashant Dalvi, Adharsh Salunkhe, Kiran Jare, Ganesh Bhujbal hit on informant's head by wooden log. Accused persons caused injury to uncle of informant namely Jitendra Chavan and one Priyanka. Thereafter, other family members of informant were also assaulted and household articles including vehicles were broken.

6. The medical evidence on record suggests that informant Rohan has suffered multiple injuries due to assault of stones, sticks etc.. He was advised for X-ray of right and left forearms and CT Brain. However, nothing abnormal was detected. The victim Priyanka suffered simple injury. Victim Nilam suffered two injuries. One of them is fracture of ulna, which is classified

as grievous. Other two injured namely Devyani and Jitendra suffered simple injuries.

7. *Prima facie*, perusal of FIR and statements of witnesses suggests that applicants were part of unlawful assembly. However, they have not played vital role in commission of offence. The FIR does not clearly suggest exact role of applicants. The allegations against applicants are omnibus and unspecific. The applicant-Adarsh stated to have hit informant by wooden log alongwith other four accused persons. The applicant-Harshal alleged to have participated in incident, but allegations against him are also omnibus. The statements of witnesses are also unspecific about role played by applicants.

8. Although Section 149 of Indian Penal Code or Section 190 of BNS is invoked, individual role or overt act of each accused is not significant. The Court cannot be oblivious to the possibility of over-implication. The alleged offence does not attract capital punishment. The applicants are young age persons. The applicant-Harshal is aged about 20 years, whereas applicant-Adarsh is aged about 23 years.

9. The learned APP invites attention of this Court to transcript of CCTV footage and submits that applicants were seen at the spot alongwith other accused persons. The transcript

shows that applicant-Adarsh was seen throwing stones and wooden pieces towards victim Anita, whereas applicant-Harshal is seen throwing wooden rod towards victim Nilam. However, medical evidence cannot be reconciled with role of applicants. The learned APP would submit that both applicants were members of PP gang and there are previous offences registered against them. The record shows that apart from present crime, both applicants are accused in Crime No.570/2025. The applicant-Adarsh is accused in Crime No.39/2025, whereas applicant-Harshal is accused in Crime No.1225/2025. However, that itself cannot be ground to deny bail to accused persons, particularly when they are behind bar for about seven months and trial is likely to take its own course. No purpose would be served by continuing further detention. Hence, following order:

ORDER

- (i) Bail Applications are allowed.
- (ii) The applicants, Adarsh Ramesh Salunke and Harshal Laxman Sarsar be released on bail in Crime No.791/2025 registered with Tofkhana Police Station, Dist. Ahilyanagar for offences punishable under Sections 111, 109-1, 126-2, 118-1, 189-1, 189-2, 190, 191-2, 191-3, 333, 324-4, 324-5, 61-2 of Bharatiya Nyaya Sanhita and Sections 37(1)(3) and 135 of Maharashtra Police Act on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) each on following condition:

- a. The applicants shall not tamper with prosecution evidence in any manner.
 - b. The applicants shall attend each and every effective date before the Trial Court.
 - c. The applicants shall not indulge in criminal activity.
 - d. The applicants shall not enter in vicinity of Nalegaon, District Ahilyanagar till conclusion of trial.
- (iii) Applications are disposed of.
- (iv) In view of disposal of Bail Applications, pending Criminal Applications to assist PP also stand disposed of.

(S. G. CHAPALGAONKAR)
JUDGE