



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 9 OF 2026

PRAVIN ALIAS AKASH POPAT WAGH
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. V. R. Langhe
APP for Respondents-State : Mr. P. P. Dawalkar

CORAM : SACHIN S. DESHMUKH, J.

Date : 22nd January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 07.01.2025 bearing Crime No. 3 of 2025 registered with Virgaon Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. According to the prosecution, the incident occurred on 01.06.2025 at approximately 9:50 PM. The informant was notified by the Sarpanch of Chinchgaon Village that his brother-in-law Sunil Wagh, was lying motionless and injured in front of a temple. Upon arriving at the scene with his wife, the informant discovered Sunil unconscious and suffering from visible injuries. It was subsequently

revealed that a dispute had occurred between the accused, Popat, and the deceased. During this altercation, Popat allegedly struck Sunil with a stick, causing him to bleed from the mouth. Although Sunil was rushed to the hospital, he was declared dead.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offence, emphasizing the absence of any independent eyewitness to establish his complicity. It is further submitted that the FIR is registered on the basis of hearsay information. There is no overt act attributed to the present applicant. The learned counsel also submits that a co-accused in this crime has already been enlarged on bail by this Court; therefore, on the grounds of parity, it is prayed that the application be allowed.

4. The learned APP opposed the application, submitting that the offence is serious in nature and that there is sufficient material on record to establish the applicant's 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.

5. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, it is prima facie evident that the FIR is registered on the basis of information given by the Sarpanch of the village to the informant. Moreover, PM examination report indicates that the deceased Sunil succumbed due to head injury.

6. Pertinently, the alleged weapon and other articles connected with the crime have already been recovered by the Investigating agency. The investigation of the case is complete and the charge-sheet has been filed. As such, nothing further remains to be recovered from the instance of the present applicant.

7. Furthermore, the co-accused, Popat @ Bhawdya Lahanu Wagh and Vijay Punjaram Wagh, have been enlarged on bail by this Court. Since the applicant is placed on similar footing as the co-accused, is entitled to bail on the ground of parity.

8. 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.

9. 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 favour of the applicant.

10. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Pravin @ Akash Popat Wagh be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 3 of 2025 registered with Virgaon Police Station, Dist. Chhatrapati Sambhajinagar for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi