



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

959 BAIL APPLICATION NO. 47 OF 2026

Pandhari Dagdoba AbdagireApplicant

VERSUS

The State of Maharashtra & anotherRespondents

Mr. S. J. Salunke, Advocate for Applicant.
Mrs. P. V. Diggikar, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.
DATE : 5th FEBRUARY, 2026.

PER COURT :

1. Applicant has preferred this application seeking regular bail in connection with Crime No. 370/2025 registered with Parbhani Rural Police Station, Dist. Parbhani, for the offences punishable under Sections 109, 118(1), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of prosecution is that on 01.09.2025 at about 8.00 pm, while Rohan, the cousin of the informant, was sitting on the platform in front of his grocery shop, co-accused Shankar reached there and abused Rohan and quarrel started between them on that count. Meanwhile, Shila, the aunt of the informant, reached there and tried to intervene the quarrel. At that time, co-accused Shankar

slapped her. Informant along with his father and uncle Ramesh, also tried to intervene the quarrel. Thereafter, while informant along with other persons were proceeding to the house of co-accused Shankar, they met the present Applicant along with co-accused Karan, Shankar and Arjun. On questioning co-accused Shankar about the incident, abused them in filthy language and threatened to kill them. He took out knife and stabbed in the stomach, chest and back of Lakhan and assaulted father of the informant on head and neck. He also assaulted Ashok on his head. Co-accused Arjun assaulted uncle of the informant. Present Applicant abused, assaulted with fists and kicks and also threatened them. On the basis of these allegations, First Information Report came to be lodged.

3. Learned Counsel for the Applicant submits that this is a case of over implication. It is submitted that the allegation against the present Applicant are general in nature and no overt act is attributed against him. The complainant group was the assailant in the alleged incident and the Applicant has lost his son in the said incident. In fact, First Information Report was registered against the informant and others by the present Applicant group for causing death of the son of the Applicant, which was first in time and the present First

Information Report is lodged by the informant only to counter the said First Information Report. In the counter case, some of the Applicants therein are enlarged on bail. Hence, present Applicant is entitled to be released on the ground of parity.

4. Per contra, learned APP vehemently opposed the application submitting that the offence is serious in nature. Specific role is attributed against the Applicant in the First Information Report. There are eye-witnesses to the incident which indicate presence of the Applicant on the spot and his complicity in the crime. Hence, prayed to reject the application.

5. Upon hearing submissions of both sides and on perusal of the record, including charge-sheet, it is prima facie evident that the role which is alleged against the present Applicant is only to the extent of abusing and inflicting with fists and kick blows.

6. Perusal of record further indicates that two days prior to the incident, a quarrel has taken place between the two groups. It is further evident that two Reports were lodged in relation to the incident dated 01.09.2025 and the report lodged by the Applicant

group is first in time whereas the present report is lodged at later point of time. Considering these fact the possibility of the over implication, prima facie, can not be ruled out.

7. Nevertheless, investigation in the crime is complete for all intent and purpose. Resultantly, charge-sheet is filed. Furthermore, Applicants in the counter case are released on bail by this Court. Having regard to the number of witnesses the prosecution proposes to examine, it is unlikely that the trial would be concluded within a reasonable period. As such, further incarceration of the Applicant as under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justified. I am therefore inclined to exercise discretion in favour of the present Applicant.

8. Hence the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant, Pandhari Dagdoba Abdagire, 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. 370/2025 registered with Parbhani Rural Police Station, Dist. Parbhani, for the offences punishable under Sections 109, 118(1), 351(2),

352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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 of the Applicant 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, 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.)