



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.69 OF 2026

Sikandar Jashwant @ Yashwant @
Jesa Padvi

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Ms Karishma S. Sarin, Advocate for applicant
Mrs. P.V. Diggikar, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 3rd FEBRUARY, 2026

PER COURT :

1. By this application, the applicant seeks release on bail in connection with Crime No.320/2025, registered with Akkalkuwa Police Station, District Nandurbar for the offences punishable under Sections 103(1), 115(2) of the Bhartiya Nyaya Sanhita, 2023.

2. The prosecution case is that, on 15/9/2025 at about 7.00 p.m., the informant etc. heard loud noise of shouting. Therefore, the informant, his wife and daughter-in-law went near

Gandhi Bhavan where they saw their son Rohidas @ Ravidas was lying on the ground in unconscious condition and another son namely Jatin was standing there with other people. Jatin narrated that, there was quarrel between Sagar Gosavi and Chandrakant Padvani on the count of cigarette. The victim tried to pacify the said quarrel. The present applicant got annoyed with the victim and beaten him by fists and kicks on his neck, chest, back, head and other parts of the body, due to which the victim fell unconscious and fell down. Thereafter, his brother Dinesh also came there and questioned the present applicant as to why he is beating his brother, however, the present applicant also assaulted Dinesh on his elbow, neck, knee, chest, neck, due to which he sustained injuries. Thereafter Rohidas was taken to Government Hospital at Akkalkuwa for treatment, where the doctors declared him dead.

3. Learned counsel for the applicant submits that, this is a case of over-implication. The incident occurred on the spur of moment and there was no premeditation. There is no recovery at the instance of the present applicant and no weapon is used in the alleged incident. Even release of one of the accused would entail the applicant for bail on the ground of parity. He further submits that, statements of only interested witnesses are recorded during

the course of investigation though there are independent witnesses available. In that view of the matter, the applicant deserves to be released on bail and prayed to allow the application.

4. Per contra, learned A.P.P. vehemently opposed the application, contending that the offence is serious in nature. The victim has lost his life, which disentitles the applicant from enlarging on bail. If the applicant is released on bail, there is every possibility of the applicant tampering with the prosecution witnesses. As such, prayed to reject the application.

5. Having heard the respective counsel for both the sides and upon perusal of the record including Charge Sheet indicates that an altercation took place between the accused and the deceased, wherein the deceased got injured and succumbed to the injuries. The record further indicates that, the only role attributed against the present applicant is that of beating the deceased with fist blows. As such, the incident prima facie appears to have taken place in the spur of moment and there is no premeditation on the part of the applicant.

6. Moreover, the investigation is complete for all intents and purposes. Considering the number of witnesses which the

prosecution seeks to examine, the trial will take considerable time for its conclusion. Therefore, further custody of the applicant is not warranted. The apprehension of learned A.P.P. can be taken care of by imposing stringent conditions upon the applicant. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Sikandar Jashwant @ Yashwant @ Jesa Padvī be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses in any way.
 - (b) The applicant shall not enter in the vicinity of Vanyavihir, Taluka Akkalkuwa, District Nandurbar till conclusion of the trial.
 - (c) The applicant shall remain present on each date, unless exempted by the trial Court.
- (iii) Needless to state that, the observations rendered herein

are confined to the present application, and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

fmp/-