



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 178 OF 2026

OMKAR RAVINDRA WAGH
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Narayan B. Narwade
APP for Respondents-State : Mr. G. O. Wattamwar

CORAM : SACHIN S. DESHMUKH, J.

Date : 23rd February, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 26.09.2025 bearing Crime No. 971 of 2025 registered with Tophkhana Police Station, Dist. Ahilyanagar for the offences punishable under Sections 109(1), 118(2), 351(2), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

2. The case of the prosecution is that on 25.09.2025, the informant, accompanied by his male and female friends, visited Sanjog Lawn to attend a Dandia celebration. During the course of the event, the applicant, encountered the informant and issued a series of verbal threats against him. In order to avoid further confrontation, the informant and his companions subsequently

decided to leave the venue. As the informant and his friends were departing on a motorcycle, the applicant and a co-accused, also traveling by motorcycle, pursued them. They intentionally collided with the informant's vehicle, causing a dash that forced the motorcycle to a halt. Immediately following this collision, the applicant, Omkar, allegedly produced a knife and delivered a blow to the informant's abdomen. Other individuals joined the applicant in assaulting the informant, inflicting injuries to various parts of his body. Following the incident, the informant reported the matter to the Tophkhana Police Station, leading to the registration of a crime.

3. The learned counsel for the applicant submits that the prosecution's narrative suggests a case of sudden quarrel and provocation rather than a pre-planned attempt on life. The alleged confrontation at the venue appears to be a minor scuffle common in crowded public gatherings and the subsequent incident on the road lacks the essential ingredients of premeditated common intention. The learned counsel also submits that a co-accused in this crime has already been enlarged on bail; 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 evident that the prosecution case arises from an incident on 25.09.2025 at a Dandia celebration where a verbal altercation allegedly escalated into a physical assault following a motorcycle collision. The record prima facie indicates that the incident occurred in a crowded environment late at night.

6. Moreover, the allegation that the applicant and two unidentified persons intercepted the informant on a motorcycle prima facie suggests a sudden flare-up of a dispute rather than a pre-meditated conspiracy to commit a grave offence, which warrants a trial to determine the actual intent.

7. Furthermore, the co-accused, Pritam Rahul Sawant has

been enlarged on bail by the Sessions Court vide order dated 21.11.2025 in Criminal Bail application No. 1857 of 2025. Since the applicant is placed on similar footing as the co-accused, is also entitled for 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 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. The apprehension expressed by the learned APP about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

10. Hence, the following order:

ORDER

(I) Application is **allowed**.

- (II) Applicant – Omkar Ravindra 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. 971 of 2025 registered with Tophkhana Police Station, Dist. Ahilyanagar for the offences punishable under Sections 109(1), 118(2), 351(2), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023, on the following conditions :-
- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant 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 applicant 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