



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

967 BAIL APPLICATION NO. 217 OF 2026

1. Ram Suresh Jadhav
 2. Ashok s/o Suresh Jadhav
-Applicants

VERSUS

The State of Maharashtra

.....Respondent

Mr. M. P. Kale, Advocate for Applicants.
Mr. C. V. Bhadane, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.
DATE : 20th FEBRUARY, 2026.

PER COURT :

1. Applicants have preferred this Application seeking regular bail in connection with Crime No. 369/2025 registered with Parbhani Rural Police Station, Dist. Parbhani, for the offences punishable under Sections 103(1), 109, 126(2), 115(2), 352, 189(2), 189(4), 191(2), 190 of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that on 30.08.2025, at 5.00 pm, deceased Arjun called the informant and informed that when he reached near the shop of Rohan Jadhav, he abused and threatened. Accordingly, informant asked the deceased to go back to home. Thereafter the informant met accused Ramesh and asked to give understanding to accused Rohan. On 31.08.2025 at about 9.00 pm,

Karan, the brother of the informant informed that today also accused Rohan has abused him.

3. On 01.09.2025 at about 8.00 pm when the informant was proceeding towards temple, he saw accused Rohan was sitting in front of the grocery shop. When informant asked him as to why he is always abusing and threatening his brothers, he abused the informant in filthy language and rushed on his person. At the same time, accused Ramesh Jadhav and Ashok Jadhav assaulted the informant with fists and kicks. Accused Ashok assaulted the informant with the help of iron rod. On hearing the noise, father of the informant came there and took the informant to the house. After some time, when the informant along with his father and deceased Arjun were proceeding towards the hospital at Parbhani in their auto, accused persons came in front of the auto, pelted stones on the wind shield of the auto. At that time, informant alighted from the auto. Accused Lakhan, Sham and Suresh assaulted the informant by fists and kicks. Accused Ramesh, Rohan and Ram dragged Arjun from the auto and assaulted him. Accused Ram stabbed knife in the right thigh of deceased Arjun and caused grievous injury. Thereafter the deceased was shifted to the Government Hospital where he was

declared dead. On the basis of these allegations, First Information Report came to be lodged.

4. Learned Counsel for the Applicants submits that this is a case of false implication. It is submitted that so far as Applicant Ashok is concerned, he was not present at the time of the alleged incident which has occurred at later point of time. It is further submitted that since the co-accused are enlarged on bail, the present Applicants are entitled for bail on the ground of parity. Investigation in the crime is complete and charge-sheet is filed. Applicants have no criminal antecedents. Hence, prayed to allow the application.

5. Per contra, learned APP vehemently opposed the application submitting that the Applicants are involved in serious crime. Deceased has lost his life in the incident. Applicants assaulted the informant with the help of fists and kicks and inflicted blow of iron rod on the forehead of the informant. Thus, there is active participation of the Applicants in the crime. Post Mortem report indicates injuries on vital part indicating motive on the part of the present Applicants. Hence, prayed to reject the application.

6. When this Court has shown disinclination to grant relief in favour of Applicant No. 1 Ram Suresh Jadhav, learned Counsel for

the Applicants, on instructions, seeks leave to withdraw application to the extent of Applicant No. 1 Ram Suresh Jadhav.

7. Application stands dismissed as against Applicant No. 1 Ram Suresh Jadhav, as withdrawn.

8. So far as Applicant No. 2 Ashok Suresh Jadhav is concerned, upon considering submissions of both sides and on perusal of the record, the sequence of events allegedly taken place appears to be episodic. The presence of applicant No.2 Ashok, is indicated only at the initial incident. Whereas, the incident in which the stab injury inflicted to the deceased, occurred at later juncture, wherein the applicant No.2 Ashok is not present. Investigation in the crime is complete for all purpose and intent. In the event of absence of incriminating material against Applicant Ashok coupled with the fact that the co-accused are enlarged on bail, his further incarceration is not warranted. I am therefore inclined to exercise discretion in favour of Applicant No. 2 Ashok Suresh Jadhav.

9. Hence, the following order :-

ORDER

- (i) Application is dismissed as against Applicant No. 1 Ram Suresh Jadhav.
- (ii) Application stands allowed to the extent of Applicant No. 2 Ashok Suresh Jadhav.

(iii) Applicant No. 2 Ashok Suresh Jadhav, 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. 369/2025 registered with Parbhani Rural Police Station, Dist. Parbhani, for the offences punishable under Sections 103(1), 109, 126(2), 115(2), 352, 189(2), 189(4), 191(2), 190 of 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 concerned Court seeking cancellation of bail.

(iv) 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.)