



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

BAIL APPLICATION NO. 300 OF 2026

SANJAY CHAMPATRAO KADAM
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent : Ms. P. V. Diggikar
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 25-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.8 of 2026 dated 18.01.2026 registered with Kinwat Police Station, District Nanded, for the offences punishable under Sections 109(1) and 324(4) of the *Bharatiya Nyaya Sanhita, 2023*.

2. The prosecution case is that the informant happens to be son-in-law of real brother of the applicant. Owing to the civil dispute between his father-in-law and the applicant, on the day of incident, when informant was proceeding by car, the applicant while driving tractor came from the opposite side and intentionally dashed the car of the applicant and dragged the car for a distance of about 100 meter and thereby tried to kill the applicant. At that time of the alleged incident, the applicant was accompanied by his wife and children in the car.

3. Learned counsel for the applicant submits that there is long standing civil dispute between the parties being *inter se* relatives of each other. The family members of the brother of the applicant are in habit of lodging false complaints against the applicant and his family members. The alleged incident of accident involving the tractor and car, however, the informant exaggerated the entire incident and coloured it as an attempt of killing at the hands of the applicant. The applicant is 57 years old and suffered two heart attacks in the past. Nothing remains to be recovered at the instance of the applicant. Hence, prayed to release the applicant on bail.

4. Learned A.P.P. has opposed the application, submitting that the offence is of serious nature. The case is not a routine accident. The collected evidence indicate that applicant deliberately dashed the car of the informant and dragged the car for 100 meters distance. Further, the investigation is underway. Thus, apprehended the possibility of tampering with the prosecution witnesses as well as the evidence.

5. Having heard the respective counsel for both the sides and upon perusal of record including chargesheet, *prima facie*, it appears that the applicant and the informant are related to each other and there are long standing civil disputes between the parties.

6. Furthermore, the allegations are borne out of a road accident and considering the prior disputes amongst the parties, the possibility of over implication cannot be ruled out. Moreover, in any case, the witness to the incident refers to the dash of vehicle and not the dragging of vehicle as alleged. The informant and his family members have sustained no injuries in the alleged accident and are unharmed. As such, *prima facie*, the ingredients of Section 109(1) of the BNS are not made out.

7. Hence, I am inclined to exercise discretion in favor of the applicant. As far as the apprehension expressed by the learned A.P.P. is concerned, the same can be adequately taken care of by imposing stringent conditions. Hence, the order:-

8. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Sanjay Champatrao Kadam, 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.8 of 2026 dated 18.01.2026 registered with Kinwat Police Station, District Nanded, for the offences punishable under Sections 109(1) and 324(4) 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 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 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]
JUDGE