



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

BAIL APPLICATION NO. 328 OF 2026

Parmeshwar Dhananjay Nawale,
Age : 32 Years, Occu. : Labour,
R/o Jagji, Tq. & Dist. Dharashiv. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Abhijit s. More, Advocate for the Applicant.
Mrs. P. V. Diggikar, A.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.
DATE : 30TH MARCH, 2026.

FINAL ORDER :

. Heard both sides. Applicant is seeking regular bail in furtherance of offence bearing Cr. No. 220/2025 registered with Dhoki Police Station, Dist. Dharashiv for the offences punishable U/Sec. 49, 61(2), 103(1), 106(1), 125(a), 125(b), 281, 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for the sake of brevity and convenience hereinafter referred as to the 'B. N. S.')

2. Applicant is facing allegations that informant's brother Ramchandra Pawar was found injured on road between village Jagji to Ter. He was shifted to hospital, but later on declared to be dead. During the course of investigation it revealed that applicant was having extra marital relations with Ramchandra's wife, Madhuri and they eliminated Ramchandra. The

supplementary statement recorded on 27.07.2025 discloses the motive and conspiracy hatched by the accused to project that it was accidental death.

3. Learned counsel Mr. Abhijit More for the applicant submits that nothing incriminating is attributed to the applicant in the first information report and the papers of investigation. He is falsely implicated in the offence due to suspicion. It is submitted that accidental death from the postmortem report cannot be ruled out. Applicant is claiming parity as co-accused Omprakash Sanjaykumar Sawatar and Sunil Narsing Deshmukh are already enlarged on bail by the High Court vide order dated 30.01.2026.

4. Learned Assistant Public Prosecutor opposes the submissions mainly on the ground that there was strong motive as the applicant was having illicit relations with the wife of the deceased. My attention is adverted to the statements of Ravi Shankar Khsirsagar, Shalanbai Bhimrao Gaikwad, transcription of CCTV footage and statements of other witnesses to buttress that the story of accident is cooked up by the applicant and co-accused Madhuri. It is submitted that applicant is seen chasing the deceased. The panchanama of seizure of vehicle corroborates the prosecution theory.

5. First information report is for the offences of Sec. 125-B, 125-A, 106(1) and 281 of the B. N. S. It is against unidentified persons or vehicle which knocked down deceased Ramchandra.

Pertinently informant is real brother of the deceased, who disclosed on 27.07.2025 in a supplementary statement that wife of the deceased was having illicit relations with the applicant. The supplementary statement shows that not only informant, but the villagers were also aware of the illicit relations. It is incomprehensible as to why the informant did not disclose these facts at the first blush. The statements of other witnesses like Amar Kalidas Pawar, Satish Suryakant Pawar and Ashok Rambhau Pawar would disclose the illicit relationship and possibility of having committed the offence to eliminate Ramchandra cannot be ruled out.

6. The statements of the witnesses would be pointer to the applicant, but there is no direct evidence. The case is based on circumstantial evidence. The transcription of CCTV footage of the camera installed at the petrol pump would be weak piece of evidence at this stage. The theory of last seen together has also not been established by the prosecution. The seizure panchanam of vehicle shows the scratches on the schooty. That is not sufficient to deny bail to the applicant.

7. The co-accused Omprakash Sawatar and Sunil Deshmukh are enlarged on bail by this Court on 30.01.2026. Applicant is arrested on 29.07.2025.. Charge sheet is filed on 17.10.2025. There is sufficient incarceration to him. He is also entitled to be released on bail. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Parmeshwar Dhananjay Nawale shall be released on bail in respect of Cr. No. 220/2025 registered with Dhoki Police Station, Dist. Dharashiv for the offences punishable U/Sec. 49, 61(2), 103(1), 106(1), 125(a), 125(b), 281, 3(5) of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond of Rs. 30,000/- (Rs. Thirty thousands only) with one solvent surety of like amount on following condition.

- I The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses in any manner.
- II Applicant shall stay away from entire Dharashive (Osmanabad) district till conclusion of the trial save and except attending the dates of the Trial.
- III He shall furnish his mobile/cell number and address to the Investigating Officer.
- IV Applicant shall surrender his Aadhar and Pan cards to the Investigating Officer.

C. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 26