



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

941 BAIL APPLICATION NO. 384 OF 2026

Pawan Hariba Chavan
Age 35 years, Occ. Agriculture,
r/o. Karajkheda, Tq. & Dist. Dharashiv.

... **Applicant**

VERSUS

The State of Maharashtra

... **Respondent**

...
Advocate for Applicant : Mr. Abhijit More h/f Mr. Jadhav Madhav K.
APP for Respondent : Mr. G. O. Wattamwar

...
WITH

BAIL APPLICATION NO. 301 OF 2026

Rajumar Khandu Adatrao,
Age 30 years, Occ. Under trial accused,
r/o. Karajkheda, Tq. & Dist. Dharashiv(Osmanabad).

... **Applicant**

VERSUS

The State of Maharashtra

... **Respondent**

...
Advocate for Applicant : Mr. Sangale Somnath Mahadeo
APP for Respondent : Mr. G. O. Wattamwar

...
CORAM : **SHAILESH P. BRAHME, J.**
DATE : **26.03.2026**

PER COURT :

Heard both sides.

2. The applicants are seeking regular bail in connection with Crime No. 209/2025 registered with Bembli Police Station, Dist. Dharashiv, for the offences punishable under Section 103(1), 253, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. It is reported to the police by father in law of deceased Sahadeo and

father of deceased Priyanka that there was enmity between deceased persons and the accused including applicant Pawan. It is further stated that deceased Sahadeo was convicted under Section 307 of I.P.C. and the matter had reached High Court. After suffering the sentence, when he was released, he was staying with informant. In the wake of previous enmity, strategically accused took revenge and committed murder on 13.08.2025 of both the persons, firstly by knocking them by vehicle and inflicting injuries by deadlier weapon.

4. The incident took place on 13.08.2025. The applicants were arrested on 20.10.2025. Charge is filed on 05.11.2025. Pertinently, applicant Pawan is the son of co-accused Hariba. Another applicant Rajkumar is not related to them. Their involvement surfaced due to telephonic conversation recovered during the course of investigation, which took place between applicant Pawan with his father. It further transpired that Rajkumar provided his vehicle to flee away the accused after the assault.

5. Learned counsel for the applicants submits that first information report, statements of the witnesses and the papers of investigation do not spell out any incriminating role to the applicants. It is submitted that no direct or indirect evidence is available against them. The implication is due to the enmity. It is further submitted that no ingredients of Section 253 are attracted.

6. Learned A.P.P. opposes the submissions. He would advert my attention to the transcript of the telephonic conversation, which would clearly show that the applicants are also involved in the offence. It is submitted that applicant Rajkumar provided his vehicle to flee away the accused. It is submitted that it is well planned conspiracy amongst the accused to commit the murder of Sahadeo and his wife Priyanka. There is incriminating material against them and they are involved in serious offences.

7. I have considered rival submissions of the parties. I have carefully

gone through telephonic conversation which is recovered after about two months. Admittedly, applicant Pawan is the son of Hariba. The investigation is over. Under these circumstances, I do not find that there is any material to further detain the applicants in jail. I have also considered the statement of Nilawati, which reflects that applicant Rajkumar provided his two wheeler to flee away the accused. Prima facie, there is no material to show that present applicants hatched any conspiracy and played active role in commission of the offence. There is sufficient incarceration for them. Their bail applications are deserve to be allowed.

8. Bail Application is allowed.

9. The applicant shall be released on bail in connection with Crime No. 209/2025 registered with Bembli Police Station, Dist. Dharashiv, for the offences punishable under Section 103 (1), 253, 3(5) of the Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicants shall furnish P.R. bond of Rs. 30,000/- each (Rs. Thirty Thousand only) with one solvent surety each of like amount.

(b) The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses in any manner.

(c) The applicants shall furnish their mobile/cell number and address to the investigating officer.

(d) Applicant Pawan shall stay away from entire Lohara Taluka, till conclusion of the trial.

10. Bail applications are disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-