



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

BAIL APPLICATION NO. 576 OF 2026

Mahesh @ Om Kantilal Chaudhari,
Age : 26 Years, Occu. : Labour work,
R/o Megh Nagar, Back Side of SBI,
Nandurbar .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Mohit S. Shah, Advocate for the Applicant.
Shri N. R. Dayma, A.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.
DATE : 10TH APRIL, 2026.

ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 673/2025 registered with Nandurbar Police Station for the offences punishable U/Sec. 103(1), 109, 189(2), 189(4), 190, 191(3), 115(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023.

2. The applicant is arrested on 30.11.2025. The charge sheet is filed on 27.02.2026. In this backdrop learned counsel Mr. Mohit Shah for the applicant submits that there is absolutely no material against his client. He is alleged to have been present at the relevant time. The main perpetrator from the record appears to be Sunny Bharat Padvi, who assaulted Pavan Chitte by knife

on his stomach, who succumbed to the injuries. There are no antecedents against his client. The investigation is over and further detention is unwarranted.

3. Learned A. P. P. submits that applicant was accompanying main perpetrators. Sunny Padvi had inflicted blow by knife, which shows that he had come prepared. By implication of Sec. 190 of the B. N. S. the overt act done by co-accused can be attributed to the applicant also.

4. I have gone through first information report and the statements recorded during investigation. Only allegation against applicant is that he was accompanying main perpetrator Sunny Bharat Padvi and he is alleged to have assaulted by fist and blows. The allegations of assault at the instance of the applicant are omnibus. He has no role to play for causing death of Pavan. Main perpetrators are behind the bars.

5. The charge sheet is filed U/Sec. 190 of the B. N. S. S. also. But the allegations leveled against the accused and his role is significant. Merely presence of the applicant at the relevant time without there being any active participation in the assault would not be a factor to deny him bail. It would be matter of trial to examine as to the criminal liability of the applicant.

6. Applicant is behind the bars from 30.11.2025. There are no criminal antecedents against him. It is desirable to enlarge him

on bail. I, therefore, pass following order.

O R D E R

- A. The bail application is allowed.
- B. Applicant – Mahesh @ Om Kantilal Chaudhari shall be released on bail in respect of Cr. No. 673/2025 registered with Nandurbar Police Station for the offences punishable U/Sec. 103(1), 109, 189(2), 189(4), 190, 191(3), 115(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond and S. B. of Rs. 30,000/- (Rs. Thirty thousands only) with one solvent surety of like amount.
- C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.
- D. The applicant shall cooperate in expeditious disposal of trial.
- E. The applicant shall surrender his Aadhar and Pan cards to the investigating officer.
- F. The applicant shall visit the investigating officer as and when called upon.
- G. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26