



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION [B.A.] NO. 170 OF 2026**

Devanand S/o Kisan Chavhan and Another

**-- VERSUS --**

State of Maharashtra

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. Amol Jaltare, Advocate for the Applicant.

Mr. A.R. Chutke, A.P.P. for the Non-applicant/State.

**CORAM : M.M. NERLIKAR, J.**

**DATE : FEBRUARY 25, 2026.**

Heard.

2. The present application is filed seeking regular bail in Crime No.245/2025 for the offence punishable under Sections 118(2), 189(1), 189(2), 189(4), 191(2), 191(3), 190, 115(2), 351(2), 351(3), 352 and 109 of the Bharatiya Nyaya Sanhita, 2023, (BNS), read with Section 135 of the Maharashtra Police Act, 1951, registered with Police Station Sonala, District Buldhana.

3. As per the First Information Report, the alleged incident took place on 01/10/2025, in front of the informant's house. On the occasion of the Dussehra festival, children were playing near the house when a verbal altercation occurred between the informant's relatives and accused No.1,

Parmeshwar Chavhan. It is alleged that accused No.1 brought a spade from his house and assaulted Sagar Solanke on the head, causing injuries. Thereafter, other accused persons allegedly joined and assaulted the informant and his relatives by fist, kick and stick blows, and also extended threats. The injured were taken to the Primary Health Centre, Sonala, and later referred to a Government Hospital for further treatment. On the basis of these allegations, the FIR was registered against the accused persons.

4. The learned counsel appearing for the applicants submit that the role attributed to the present applicant is that the applicants – Devanand Chavhan and Ishwar Chavhan have assaulted the informant - Naval Solanke and injured – Sagar Solanke with fist and kick blows, however, though Sagar has sustained serious and grievous injuries, those were inflicted by the main accused – Parmeshwar Chavhan, who has used fiber rod and not by the present applicants. Therefore, he submits that as the applicant – Devanand is in jail since 02/10/2025 and the applicant – Ishwar is in jail since 10/10/2025, no purpose would be served by keeping the applicants behind bar as the investigation is over and charge-sheet is filed.

5. The learned A.P.P. vehemently opposes the application and submits that in furtherance of

their common object, all the accused persons including the applicants have assaulted informant and injured - Sagar Solanke. The learned A.P.P. has invited my attention to the injury certificates of the Sagar and Naval. Further, he submit that the role of the present applicants cannot be bifurcated at the stage of grant of bail, therefore, considering the gravity and seriousness of the offence the applicants may not be released on bail.

6. I have considered the rival submissions. So far as the role of present applicants is concerned, it is alleged that they both have assaulted injured - Sagar and informant - Naval with the help of fist and kick blows. Perusal of the injury certificate shows that there is fracture of left temporal and frontal bones and comminuted depressed fracture of left parietal bone. It further appears that injured - Sagar was in hospital since 02/10/2025 till 08/10/2025, however, the injuries which are mentioned, those are attributed to the main accused – Parmeshwar. Therefore, considering the limited role of the applicants who assaulted Naval and Sagar with the help of fist and kick blows, and as the applicants are behind bar since from 02/10/2025 and 10/10/2025 respectively, and the fact that the investigation is over and charge-sheet is filed, and there are no criminal antecedents against the present applicants, I am

inclined to grant bail to the present applicants on imposing stringent conditions. Hence, the following order:-

**ORDER**

(i) The Criminal Application is **allowed;**

(ii) The applicants/accused (Devanand S/o Kisan Chavhan and Ishwar S/o Kisan Chavhan) be released on regular bail in connection with Crime No.245/2025 for the offence punishable under Sections 118(2), 189(1), 189(2), 189(4), 191(2), 191(3), 190, 115(2), 351(2), 351(3), 352 and 109 of the Bharatiya Nyaya Sanhita, 2023, (BNS), read with Section 135 of the Maharashtra Police Act, 1951, registered with Police Station Sonala, District Buldhana, on their furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) each with two solvent sureties in the like amount;

(iii) The accused shall not enter within the vicinity of village Sonala, District Buldhana;

(iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts

of the case, as also shall not tamper with the evidence;

(v) The accused shall provide their residential address and cell number to Police Station concerned and shall not change their place of residence without prior intimation to the Investigating Agency;

(vi) The accused shall attend each and every date of trial regularly. If they fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, their default would entail the State to ask for cancellation of bail or even trial Court *suo moto* take cognizance of this and cancel the bail;

(vii) Pending Misc. Application(s), if any, also stand disposed of.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[ M.M. NERLIKAR, J ]