

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION NO.298 OF 2026

Ashok Ramchandra Pawar

..VS..

State of Maharashtra

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

Court's or Judge's orders

 Shri M.N. Ali, Advocate for the applicant.
 Shri A.R. Chutke, APP for the State.

CORAM: M.M. NERLIKAR, J.

DATE : 23.03.2026.

Heard

2. By way of this application, the applicant is seeking bail in connection with Crime No.272 of 2025 registered with Jaulka Police Station, District Washim for the offence punishable under Sections 103, 109, 189(2), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. Mother of the deceased has lodged the report alleging that on 22.10.2025 the accused persons have a scuffle with the informant's family over an issue which led to attack on the family members of the informant with sharp weapon which resulted into the death of her son and they also injured the informant's husband, cousin sister-in-law and stepson.

4. Learned Counsel for the applicant submits that in the entire episode of murder of deceased Avinash, the present applicant has not played any active role. Only role attributed to the applicant is in respect of assault with the help of stone on the husband of informant

Nemichand. Therefore, considering the limited role played by the applicant, at the most it can be said that an offence under Sections 118 of the BNS and not 103 of BNS is committed. The applicant is behind bars since 23.10.2025 and investigation is complete and charge-sheet is also filed. Hence, the applicant prayed to be enlarged on bail.

5. On the other hand, learned APP vehemently opposes the application on the ground that there are eye-witnesses to the said incident and there is name of the present applicant in the FIR. He has assaulted Nemichand with the help of stone, who is the husband of the informant. He further invited my attention to the injury certificate of Nemichand, wherein three simple injuries are shown. CT scan report also shows displaced fractures noted at the right zygomatic arch, zygoma. Therefore, it cannot be said that the applicant played a limited role in the entire episode as all the accused persons gathered on the spot of the incident and inflicted blows by weapon on the deceased as well as on Nemichand, Sandesh and Swati. Therefore, since the allegations are serious in nature, the applicant may not be enlarged on bail.

6. I have considered the rival submissions and perused the record. It appears that the applicant assaulted Nemichand with the help of stone which caused fracture to the cheekbone and also there are eye-witnesses to the said incident. The applicant has not played active role in the assault made to the deceased Avinash, that role is attributed to Ajay Chavhan. It

appears that the present applicant assaulted Nemichand. Further it is not clear whether he was indoor patient or not. Considering the above factual background, no purpose would be served by keeping the applicant behind bars. The applicant is arrested on 23.10.2025, investigation is complete and charge-sheet is filed. Therefore, I am inclined to enlarge the applicant on bail. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant Ashok Ramchandra Pawar in connection with Crime No.272 of 2025 registered with Jaulka Police Station, District Washim be released on bail on furnishing P.R. bond of Rs.50,000/- with one or two sureties in the like amount.
- (c) The applicant 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.
- (d) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (e) The applicant shall not commit any similar type of offence.
- (f) The accused shall attend each and every date of trial regularly. If he fails to attend the trial

for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .

8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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