

IN THE COURT OF ADDL. SESSIONS JUDGE, BARSHI,
DIST. SOLAPUR

Criminal Bail Application No.476/2026
(CNR No.MHSO-21-000869-2026)

Balraje Ramrao Aware V/s State

Order Below Exh.1

01. By this application, the applicant/accused is seeking regular bail in Crime No. 89/2026 registered with Madha Police Station for the offences punishable under Sections 109, 118(1), 189(2), 190, 191(2), 191(3), 324(4), 132, 61(2), 287, 288, 111(2)(b), 111(3), 114(2) of BNS, U/s.3(1) of Prevention of Damages to Public Property Act, 1984 and sec. 135 of Maharashtra Police Act.

02. As per the applicant he is innocent. He has not committed any offence. He is falsely implicated in present crime. Due to political rivalry his name is not reflected in FIR. FIR No.93/2026 is came to be registered with Madha Police-station with similar allegations. Therefore, there is violation of article 20(2) of Indian Constitution. He has not participation in any Act. No specific role is attributed to him. Sec. 109 of BNS is not attracted against him. Further the medical certificate shown simple injuries to injured and that too not on vital part. Hence, sec.109 is not applicable. Investigation is completed. Charge-Sheet is filed. His further custodial interrogation is not warranted. Co-accused is also released on bail. Therefore, on the

ground of parity he is entitled for bail.

03. By filing reply prosecution raised strong objection. As per prosecution on 01/04/2026 in between 8:00 pm to 9:00 pm in front of S.T. stand Chowk, Madha road Anjangaon a mob of 200 to 250 unknown persons reached there and started slogans against the administrative officers, abused the police machinery and administrative staff. They instigated each other and started pelting of stone towards police and administrative officers. Due to this police officer sustained injuries and Govt. vehicle was damaged. Applicant. Accused is the master mind of said incident. Then, he came to the spot after two days and delivered provocative speech. Thus, prime involvement is seen. He has criminal antecedent sufficient evidence is against him to connect him with the crime. Hence, he is not entitled for bail.

04. Heard learned advocate Shri.P.S. Dikle for the accused and learned AGP Shri.D.D.Deshmukh. Both of them have reiterated their respective contention.

05. Perused the police papers. Alleged offences are under section 109, 115(2), 118(1), 126(2), 189(2), 190, 191(2), 191(3), 351(3), 352, 61(2), 287, 288, 111(2)(b), 111(3) and 114(2) of BNS, U/s.3(1) of Prevention of Damages to Public Property Act, 1984 and sec. 135 of Bombay Police Act. The punishment prescribed for offence under section 109 of BNS is

imprisonment up to 10 years which may extend to life imprisonment.

06. Perused the FIR. It revealed that Police Constable attached to Madha Police-station put criminal law into motion by lodging FIR with Madha Police-station on 02/04/2026. It is contended in FIR that on 01/04/2026 at about 8:00 pm to 9:30 pm at Anjangaon, the mob of 200 to 250 persons of Maratha community reached there. They started slogans. Police machinery and administrative officers present there, started to convince them for maintaining peace. Further they were directed to disburse from the spot as there was prohibitory order. However, nothing cognized by the said mob. Mob started pelting of stones towards administrative officers. Due to this 7-8 police persons on duty sustained injuries. The mob also caused damage to Govt. vehicles No.MH-12 YH-6391 (2) MH-13-P-0491 and (3) MH-13-AE-1976. Therefore, informant went to police-station and lodged the complaint.

07. The prosecution has opposed the application. It is contended that after the main incident of pelting stones and causing injuries to public servants by a mob of about 200 to 250 persons, the applicant visited the spot two days later and delivered a provocative speech which created tension between two communities. It is further alleged that the applicant was the mastermind behind the main incident. The prosecution has also

relied upon the criminal antecedents of the applicant.

08. Perused the investigation papers. The charge-sheet has already been filed. Therefore, custodial interrogation of the applicant is no longer required. Though the prosecution alleges that the applicant is the mastermind of the incident, such allegation will have to be established during the course of trial. The material placed on record prima facie indicates that the applicant is alleged to have delivered a provocative speech two days after the incident. The extent of his role and the effect of such speech are matters to be assessed on the basis of evidence during trial.

09. It is also not in dispute that the co-accused have already been enlarged on bail. On the principle of parity, the case of the present applicant deserves similar consideration unless there exist distinguishing circumstances justifying a different view.

10. The prosecution has opposed the application on the ground of criminal antecedents. Mere criminal antecedents, by themselves, cannot be the sole ground to refuse bail, particularly when the investigation is complete and the charge-sheet has been filed. Appropriate conditions can be imposed to ensure that the applicant does not misuse the liberty granted to him.

11. Considering the nature of the allegations, the stage of

the proceedings, the filing of the charge-sheet, and the fact that the co-accused have already been released on bail, the applicant has made out a case for grant of regular bail. Hence order.

ORDER

1. The bail application is hereby allowed.
2. The applicant/accused **Balraje Ramrao Aware** be released on bail on execution of P.B. & S.B. of Rs.50,000/- (Rupees Fifty Thousand Only) in C.R.No.89/2026 registered with Madha Police Station for the offences punishable under Sections 109, 118(1), 189(2), 190, 191(2), 191(3), 324(4), 132, 61(2), 287, 288, 111(2)(b), 111(3), 114(2) of BNS, U/s.3(1) of Prevention of Damages to Public Property Act, 1984 and sec. 135 of Maharashtra Police Act on following conditions:
 - a) The applicant / accused is directed not to tamper with prosecution evidence.
 - b) He shall not directly or indirectly make any inducement, threat, promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any Police Officer.
 - c) He shall co-operate to the Investigation Officer and shall not hamper and tamper with prosecution witnesses.
 - d) He shall attend before this Court during trial till conclusion of trial.
 - e) He is directed not to commit similar type of offence in future.

f) Commission of breach of condition will result into automatic cancellation of this order.

3. Bail before where charge-sheet is pending.

Date : 23/07/2026.

(U.L.Joshi)
Addl. Sess. Judge, Barshi

: : 7 : : Order below Exh.1 in Cri.Bail Appln.No. 476/2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/Order.

- (a) Name of the Stenographer: B.D.Kadam (Steno Grade 1)-Cum-Gazetted Officer-2
- (b) Court : District Judge 1 and Addl. Sessions Judge, Barshi
- (c) Judgment/Order signed by PO on : 23/07/2026
- (d) Judgment/Order uploaded on : 23/07/2026