

MHST190002932026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WAI
Criminal Bail Application No. 93 of 2026**

Shivnath Dashrath Thombare.

..Applicant

V/s.

State of Maharashtra

..Respondent

Mr. H. B. Dhaigude, Advocate for applicants.
Mr. A. R. Kulkarni, A.P.P. for the State.

**Coram: Mr. S. R. Tamboli,
I/c The Addl. Sessions Judge, Wai.**

:: ORDER BELOW EXH. 1 ::

1. In the instant application, the applicant has prayed for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
2. In brief, the case of the prosecution, as per the FIR, is that on 11/05/2026 at about 12:15 a.m., Navnath Dhurgude, the informant, was sitting in his house along with his brother Sukhdev. At that time, Dashrath Thombare, Shivnath Thombare, Ganesh Thombre, Nanda Thombare, and Kishor Thombre came to his house. They raised a dispute on account of land in the village. When the informant stated about his share in the said property, Shivnath got enraged. He attempted to assault the

informant with an axe, and the blow hit his right hand. The informant sustained injury to his palm. When he tried to run away, Shivnath gave a blow of the axe on his back and left shoulder. Ganesh and Kishor assaulted him and his brother Sukhdev with sticks. Sukhdev sustained injuries on his head and palm, and his left hand was fractured. Dashrath and Nanda assaulted the informant and his brother Sukhdev with hands. Meanwhile, their family members arrived at the spot, and thereafter the accused ran away.

3. In the backdrop of these facts, Mr. H. B. Dhaigude, learned counsel for the applicants, submitted that Shivnath is a young boy. There was a civil dispute between the informant and the applicant on account of land, and due to the said dispute the incident has been exaggerated. The injured have been discharged from the hospital. The injuries are simple in nature. There are no criminal antecedents against the applicant. He has a permanent residence. Hence, he prayed to release the applicant on bail.

4. Per contra, Mr. A. R. Kulkarni, learned A.P.P. for the State, submitted that the offence alleged against the applicant is serious. The applicant is involved in the case, and there is a prima facie case against him. The applicant may tamper with the evidence. The applicant has assaulted the informant with an axe with the intention to cause grievous hurt. Hence, she prayed that the application be dismissed.

5. The FIR shows that there was a dispute between the

applicant and the informant. The possibility of exaggeration of the incident cannot be ruled out. No doubt, as per the injury certificate, the informant and his brother Sukhdev have sustained grievous injuries. However, they have been discharged from the hospital. The investigation and trial will take its own time. The offence is triable by the Magistrate. No purpose would be served by detaining the applicant in jail by way of pre-trial punishment. No criminal antecedents are reported against the applicant. Nothing remains to be recovered from the applicant. The applicant is a young boy and has a permanent residence. It is less likely that he will abscond. The apprehension of tampering with evidence can be addressed by imposing stringent conditions. Hence, I am inclined to grant bail to the applicant. As a result, I pass the following order:

ORDER

1. The application is allowed.
2. The applicant, Shivnath Dashrath Thombre, be released on bail in connection with Lonand Police Station C.R. No. 203/2026, on furnishing a PR bond and surety in the sum of Rs. 50,000/-, subject to the following conditions:

(a) The applicant shall not, directly or indirectly, make any inducement, threat, or promise to any witness and shall not tamper with the prosecution evidence.

(b) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

(c) The applicant and his surety shall furnish their

residential addresses and mobile numbers and shall not change the same without prior intimation to the Investigating Officer.

3. The applicant shall furnish bail before the concerned Court.

4. A copy of this order be sent to the District Central Jail, Satara, by e-mail.

Date- 05/06/2026

(S.R.Tamboli)
I/c. Addl. Sessions Judge,Wai.