

In the Court of Additional Sessions Judge, (Court No.2) Wardha.

Criminal Bail Application No.294/2026
(CNR: MHWR01001185026)

Manish Purushottam Rawlani .. Applicant

..V/s..

State of Maharashtra,
Through P.S.O., Talegaon, .. Non-applicant

Order below Exh.1
(Passed on 05th August, 2026)

The present application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.0219/2026 registered at Police Station, Talegaon, Tah. Ashti, Dist. Wardha for the offence punishable under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023.

2] It is the case of the prosecution that on 01/05/2026 informant Nisha Gitesh Kakade i.e. wife of the injured lodged report that her father-in-law and her husband had sold out a plot belonging to the father-in-law of the applicant to the Rs.50,00,000/- out of this 40 lakhs were already paid and Rs.10,00,000/- was remained to be paid. The applicant's contention is that the remaining amount will be paid only after the daughter of the vendor will signed the document. On April 1, 2026 sister-in-law of the informant i.e. sister of applicant was in need of money, therefore the husband of the informant demanded money from the applicant, who told to get the signature of the sister-in-law of the informant first. However, some verbal altercation took place in between the applicant and the informant's husband. On April 25, 2026, the

husband of informant told to the sister-in-law of the informant that he had heated altercation with the applicant at Talegaon towards payment of money. It is further alleged that the injured i.e. husband of informant received telephonic call from the applicant and in response of that the husband of the informant went to meet him. At about 12.00 midnight husband of informant, informed her that he will dine in hotel. However, thereafter there was no contact with the husband of the informant. It is alleged that the father-in-law of informant called Santosh Solanke and asked him about the husband of the informant, the said Santosh Solanke informed him that Gitesh Kakde i.e. the husband of the informant had asked Santosh to bring axe as the applicant is coming with some people to beat him. It is alleged that some quarrel took place in between applicant and the husband of the informant, but police intervened and matter was settled. However, it is alleged that at about 2.30 a.m. sister-in-law of the informant received telephonic call that her husband and his friend Pradi Bawari had made with an accident on Talegaon-Ashti road and they were admitted to the hospital at Talegaon. In the morning informant visited the spot with her sister-in-law and found her husband was lying there. She also found a pair of slippers, one shoe, saffron coloured shawl and turban on the spot. As well as broken pieces of part of the motorcycle. Then the informant straightway went to the Panjabrao Deshmukh Hospital, Amravati where her husband was admitted. On April 27, 2026, she approached to the police station and expressed suspicion of the applicant and asked to inquire the matter. On April 29, 2026, the cousin of the husband of informant came to the hospital at Amravati to see the injured, then he informed, came to know that there was altercation in between the husband and informant and applicant. On April 30, 2026, it is contended by the informant in her

report that the condition of her husband become critical, therefore, she approached the police station and then lodged report on 01/05/2026. In pursuance of which offence punishable under Section 109(1) of the Bharatiya Nyaya Sanhita, vide crime no. 219/2026 came to be registered against the applicant.

3] During the investigation, the applicant was arrested, the investigation was taken up by PSI Mangesh Bhoyar. He rushed to the spot, prepared spot panchanama, seized the clothes of the injured. He further recorded the statement of the witnesses including the injured and his friend who was pillion rider at that time. It is transpired that after the verbal quarrel with the husband of the informant and his friend were going to the restaurant for taking dinner from Talegaon to Ashti road at that time near Romi Bhindar Cricket Ground, one silver coloured car came towards his motorcycle and therefore, he took a turn and gave dash to the truck which is come from the opposite side and then injured fell unconscious. The injured i.e. husband of the informant stated that it is the same car by which the applicant had come at Talegaon. The applicant is before the Court for bail.

4] According to the applicant, due to the dispute about remaining payment there was verbal quarrel himself and the injured Gitesh Kakde and Gitesh Kakade under the influence of liquor used to abuse him and by taking the benefit of the accident false report was filed against him and by pressurizing the police. It is also alleged that delay in lodging report which clearly goes to show that the story of the prosecution is full of doubt. Lastly, he contended that the injured is already discharged from the hospital. The investigation is completed, therefore, he be released on bail.

5] The application is opposed by the prosecution by filing say at Exhibit 8 on the ground that from the statement of the informant, as well as of her husband it appears that there was dispute in between the injured and applicant on account of payment of money in pursuance of which the applicant tried to kill the injured by driving car on his person. It is also alleged that the CCTV footage shows that on the day of incident the same car was used by applicant when he had come to Talegaon. However, it is mentioned that the only investigation which is remaining is to trace out the person who was accompanying the applicant at the time of incident.

6] Perused the application, say and case diary. Heard ld. APP and the ld. Counsel for applicant. From the case-diary and from the FIR as well as statement recorded by the I.O., it is clear that there was previous dispute in between the injured and the applicant on account of the consideration remained to be paid in respect of the plot which was sold out father of the applicant to the injured. From the statement of the injured recorded by Investigating officer, it is clear that on 25/04/2026 at about 9.30 p.m. injured went to the applicant asked him Rs.25,000/- some verbal quarrel took place in between them. However, then he went away, as the dispute was resolved by the friend of the applicant. At about 11.00 to 11.30 p.m. friend of the injured offered liquor and dinner to him and they both consumed the liquor. Then again it is alleged that the applicant came there, again quarrel took place, but again it is resolved. The injured himself asked one Solanke to bring the axe and when Santosh Solanke came there at that time police van arrived and therefore, the applicant along with his friend went away. From the averment of the statement it appears that in the midnight of the incident

there was quarrel took place in between the applicant and the husband of the informant. Further it is also not disputed that the bike by which injured and his friend were travelling met with an accident. It is alleged that one car gave dash to their vehicle. However, apart from the bare statement there is no prima facie evidence collected by the I.O. during the investigation that the car was belonging to the applicant and it is the same car which gave dash to the applicant. Even in the entire documents relating to the vehicle is not seized by the I.O.

6] The another important aspect in the present case is delay in FIR. The alleged incident occurred on 25/04/2026, however, the FIR was lodged on 01/05/2026. Even in the FIR there is no averment that the applicant gave dash to the vehicle of the husband of the informant. On the contrary, there is allegation of assault and damage to the vehicle, but only after the statement of the informant was recorded. The prosecution come with the story that the dash to his bike was given by the applicant by car.

7] There is no prima facie evidence which can shows that the applicant himself with an intent to kill the husband of informant gave dash by his own car to the bike of the injured. Admittedly there is dispute in between the injured and the applicant in respect of the money transaction and on couple of occasion verbal quarrel also took place in between them. therefore, possibility cannot be ruled out that injury sustained in the accident may be posed as an attempt to kill by the applicant. Be that it may, the entire investigation is completed. Nothing is to be recovered from the applicant. The only objection taken by the I.O. is that the other co-accused is to be arrested however, there is no prima facie evidence that any person was present with the applicant at

that time. Even otherwise this cannot be reason to reject bail. Hence, the order.

Order

- (i) Application is allowed.
- (ii) The applicant Manish Purushottam Rawlani will be released on bail on executing a Personal Bond of ₹ 50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount, in Crime No. 0219/2026 registered at Police Station, Talegaon, Tah. Ashti, Dist. Wardha for the offence punishable under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023.
- (iii) The applicant is directed to attend Police Station Talegaon as and when called by the Investigating Officer, till further orders.
- (iv) The applicant is further directed not to tamper with the evidence and not to influence the witnesses in any manner.
- (v) The case diary be returned to the Investigating Officer.

Date: 05/08/2026

(S.A.S.M. Ali)
Additional Sessions Judge,
(Court No.2), Wardha.

CERTIFICATE

I affirm that the contents of this P.D.F. file are the same word to word, as per the assigned order.

(Anil N. Nakhate)
Stenographer Gr.-I