



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 747 OF 2026

1. Ramprasad Arjun Pawar,
Age : 52 Years, Occu. : Agril.,
R/o Kalegaon Haveli,
Post Nalwandi, Tq. & Dist. Beed.
2. Ashok Ramprasad Pawar,
Age : 26 Years, Occu. : Agril.,
R/o Kalegaon Haveli,
Post Nalwandi, Tq. & Dist. Beed. .. Applicants

Versus

The State of Maharashtra and another .. Respondents

Shri Shashikant E. Shekade, Advocate for the Applicants.
Shri S. V. Hange, A.P.P. for the Respondent Nos. 1 and 2.

CORAM : SHAILESH P. BRAHME, J.
DATE : 07TH MAY, 2026.

FINAL ORDER :

. Heard both sides.

2. Applicants are seeking their enlargement on bail in respect of offence bearing Cr. No. 320/2025 registered with Pimpalner Police Station, Dist. Beed for the offences punishable U/Sec. 3(5), 351(3), 351(2), 115(2) and 109 of the Bhartiya Nyaya Sanhita, 2023.

3. In pursuance of offence applicant No. 1 - Ramprasad Arjun

Pawar is arrested on 21.01.2026 and applicant No. 2 – Ashok Ramprasad Pawar is arrested on 23.01.2026. Charge sheet is filed on 07.02.2026.

4. It is reported by the injured victim that he was assaulted on 14.11.2025 at his place of residence that is Kalegaon, Tq. and Dist. Beed by the applicants and co-accused. Applicants are alleged to have independently inflicted blow by knife. Other co-accused are alleged to have assaulted by kick and blows. Informant's wife who tried to intervene was also assaulted.

5. Learned counsel for the applicant submits that no motive or *mens rea* is spelt out from the report and the statements of the witnesses. Applicants are falsely implicated in the offence. Applicant No. 1 is suffering from kidney malfunction and is required to be treated frequently. He is a disabled person. The eye witnesses did not support the prosecution case. There are no antecedents against the applicants.

6. Learned A. P. P. would submit that two eye witnesses are consistent besides other witnesses to corroborate the prosecution theory. The weapon is recovered at the instance of the applicant No. 2. The medico legal certificate of the injured person would corroborate prosecution theory of assault by knife.

7. The applicants and the victim were knowing each others and residents of village Kalegaon, Tq. and Dist. Beed. They are interese distant relatives. First information report and the

statements of the witnesses would disclose assault on 14.11.2025 at the instance of the applicants and the co-accused. Applicants are alleged to have assaulted by knife upon the informant. Surprisingly, there is no whisper about motive or cause for committing assault. If the applicants are alleged to have assaulted by knife on vital part, then there might have existed some cause. The investigation is unable to unearth the truth.

8. Considering the statements of the witnesses, presence of the applicants at the relevant time is evident. The medico legal certificate of the informant discloses one grievous injury on temporal region and one another simple on abdominal region. The possibility of assault by sharp weapon cannot be ruled out. The recovery of weapon is at the instance of the applicant No. 2.

9. Considering overall circumstances, I find that there is absence of *mens rea*. No reason is forth coming as to why the applicants wanted to eliminate informant or to take revenge. No antecedents are reported against them. Their further incarceration is not required.

10. The application has been preferred on medical ground. It is rightly pointed out by the learned A. P. P. that no case is made out for enlarging applicant No. 1 on bail on medical grounds. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant No. 1 - Ramprasad Arjun Pawar and applicant No. 2 – Ashok Ramprasad Pawar shall be released on bail in respect of Cr. No. 320/2025 registered with Pimpalner Police Station, Dist. Beed for the offences punishable U/Sec. 3(5), 351(3), 351(2), 115(2) and 109 of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond and S. B. of Rs. 50,000/- (Rs. Fifty thousands only) each with one or two solvent sureties of like amount.

C. The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses.

D. The applicants shall cooperate in expeditious disposal of trial.

E. The applicants shall surrender their Aadhar and Pan cards to the investigating officer.

F. The applicants shall stay away from Kalegaon (Haveli), Tq. and Dist. Beed till conclusion of the trial.

G. The applicants shall give their mobile/cell number and address to the investigating officer.

H. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/May 26