



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

947 BAIL APPLICATION NO. 905 OF 2026

Nanasaheb S/o. Dadubal More

VERSUS

The State Of Maharashtra

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Mr. Sopan G. Bobade, Advocate for Applicant

Mr. S.V. Hange, APP for Respondent-State

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 17 JUNE, 2026

PER COURT :

1. Heard learned counsel Mr. S.G. Bobade, Advocate for the applicant and the learned APP for respondent-State.

2. By the present application, the applicant seeks his release on bail in connection with Crime No. 376 of 2025 registered with Walunj Police Station, District Chh. Sambhajinagar, for the offences punishable under Sections 103 (1) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicant submits that the present application is preferred after filing of the charge-sheet. He submits that the prosecution case rests entirely on circumstantial evidence. According to him, there is no direct evidence connecting the applicant with the commission of the alleged offence. He submits that initially the crime was registered against an unknown person and during the course of investigation the

applicant came to be implicated merely on the basis of an alleged relationship between the applicant and the deceased. Learned counsel submits that except for the said circumstance, there is no material demonstrating the involvement of the applicant in the alleged crime. He further submits that the investigation is complete and the charge-sheet has already been filed. Nothing remains to be recovered or discovered from the applicant and, therefore, his further custodial detention is not necessary. On these grounds, he seeks grant of bail.

4. Per contra, learned APP strongly opposes the application. He submits that the prosecution has collected sufficient material during the course of investigation indicating the involvement of the applicant in the crime. According to him, though the case is based on circumstantial evidence, the circumstances collected by the investigating agency constitute important links in the chain of events and point towards the complicity of the applicant. He submits that the nature and gravity of the offence are serious and, therefore, the applicant does not deserve the discretionary relief of bail. He, therefore, prays for rejection of the application.

5. I have considered the submissions advanced by the learned counsel for the applicant, learned APP for the State and learned counsel assisting the prosecution. I have also perused the FIR, charge-sheet and the material placed on record.

6. The record reveals that initially the FIR came to be registered against an unknown person. The statement of the grandfather of the deceased indicates that the deceased had started vomiting blood and, therefore, her parents were informed. During the course of investigation, it surfaced that the present applicant was allegedly having an affair with the deceased. *Prima facie*, this appears to be the principal circumstance relied upon by the prosecution against the applicant.

7. Admittedly, the case is based on circumstantial evidence and there is no eyewitness account of the incident. At this stage, a detailed examination of the circumstances collected by the prosecution is neither necessary nor desirable. The evidentiary value of the material collected during investigation and the completeness of the chain of circumstances are matters which would be considered by the Trial Court during the course of trial.

8. It is not in dispute that the investigation is complete and the charge-sheet has already been filed. Nothing is pointed out to show that any further custodial interrogation of the applicant is required. In the facts of the present case, continued custody of the applicant as an undertrial prisoner would not serve any useful purpose. Hence, the following order:

ORDER

I. The application is allowed.

II. Applicant – Nanasaheb S/o. Kadubal More be released on bail in connection with Crime No. 376 of 2025 registered with Walunj Police Station, District Chh. Sambhajinagar, for the offences punishable under Sections 103 (1) of the Bharatiya Nyaya Sanhita, 2023, on executing a Personal Recognizance Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount, subject to the following conditions:

(a) Till conclusion of the Trial, the applicant shall not enter the Village Murmi, Taluka Gangapur, Dist. Chh. Sambhajinagr.

(b) The applicant shall regularly attend the proceedings before the Trial Court on every effective date, unless specifically exempted by the Trial Court.

(c) The applicant shall not shall not tamper with the prosecution evidence.

(d) In the event of breach of the condition, it will be open for the prosecution or the complainant to approach the concerned Court for cancellation of bail.

III. Needless to state that the observations made herein are prima facie in nature and confined to the adjudication of the present bail application. The Trial Court shall not be influenced by any of the observations made in this order while deciding the case on its own merits.

[SIDDHESHWAR S. THOMBRE]
JUDGE