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

BAIL APPLICATION NO.71 OF 2025

Dhananjay @ Dhanu @ Vedant
Dnyaneshwar Doijad,
Age: 22 years, Occu.: Agriculture,
R/o. Laxmikant Nagar, Ambad Road,
Indewadi, Tq. and Dist. Jalna.

... Applicant

Versus

1. The State of Maharashtra
Through Officer In-charge,
Police Station Georai,
Dist. Beed.

2. The Superintendent of Police,
Dist. Beed.

... Respondents

.....
Mr. Sudarshan J. Salunke, Advocate for Applicant
Mr. P.K. Lakhotiya, APP for Respondents – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 12 MARCH 2025

PRONOUNCED ON : 13 MARCH 2025

PER COURT :-

1. Applicant seeks grant of bail on account of his arrest in Crime No.0277 of 2024, registered at Georai Police Station, District Beed for offence punishable under Sections 302, 201 r/w 34 of the Indian Penal Code (IPC).

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2. Pointing to the date of arrest of applicant as 12.07.2024, learned counsel for the applicant submitted that, there are allegations of commission of murder. That, there is no incriminating or direct evidence and the entire case is based on circumstantial evidence. That, such circumstances are last seen together and motive of illicit relations between applicant and co-accused. Learned counsel took this Court through FIR and submitted that there are allegations of assault on 16.06.2024. Learned counsel pointed out that, witnesses speak about deceased to be in the last company of the accused persons on night of 16.06.2024, but dead body was found in the morning of 17.06.2024. That, there is no witness about actual overtact, and witnesses are speak about quarrel between the accused and deceased. He further pointed out that statements of witnesses are not recorded promptly, rather they are recorded at belated stage. He further pointed out that, there are allegations of death due to multiple stab injuries and strangulation. That, there is no recovery of any sharp weapon, like knife. That, whatever recovery is shown at the instance of co-accused. That, applicant is behind the bars since July 2024. That, investigation is already over and charge-sheet is filed in September 2024, and according to him, as there are no immediate prospects of matter going for

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trial, no further purpose would be achieved by further detention of applicant, and hence, learned counsel urges for grant of bail.

3. While opposing the bail application, learned APP pointed out that applicant had illicit relations of wife of deceased. That, she is also co-accused. That, there are many witnesses, who have seen applicant in company of deceased. That, there are witnesses, who have seen quarreling on intervening night of 16.16.06.2024 and 17.06.2024. That, wife of deceased is also involved. He further pointed out that, there is statement of auto rickshaw owner regarding rickshaw is being in possession of deceased, and learned APP pointed out that, investigation revealed that, the same rickshaw was used in transporting the dead body after committing murder. Therefore, for above reasons, learned APP has opposed the bail application.

4. Heard. Perused the FIR dated 18.06.2024 at the instance of Dipa, sister of deceased Raju. She reported that, her brother Raju performed love marriage with Manjusha, however, there is used to be quarreled between his brother and sister-in-law, and she claims that on being questioned to that extent, her brother told that, his wife had extramarital affair with Dhananjay @ Dhanu Doijad, resident of Laxmikant Nagar, Indewadi, District

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Jalna, and on such count, again there is to be quarreled. She claims that, on 16.06.2024, her brother was her house and at 09:00 p.m. he left her house saying that, he would visit his house and came back, but he did not return. She claims that, on 17.06.2024, she telephoned her brother's wife, but she received vary information. Therefore, on suspicion, she and her husband Krushna, both went to the Laxmikant Nagar and made inquiry with Rahul Kokne, Uddhave Nikam, Mahendra Ratnaparkhe, Ganesh Kale and others. She claims to have learnt from them that they all have heard quarrel going on between deceased and her wife at around 13.00 hrs. There were other two persons also in the house of her brother. Deceased was found dead in the morning in Godawari River in tied condition. On above report, crime seems to have been registered.

5. The statements of the informant's husband, Krushna, and those of Rahul Kokne, Uddhave Nikam, Mahendra Ratnaparkhe, and Ganesh Kale, from whom the informant claims to have received information about the quarrel at 13:00 hours, are consistent in reporting that they heard a quarrel. Merely because of their statements are not recorded promptly, their version cannot be doubted. Moreover, they are resident of same vicinity,

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where deceased allegedly resided. Informant has clearly stated that her brother left her house at 09:00 p.m., assuring to return, but he did not return. She has already stated that, she learned from her deceased brother about illicit affair between co-accused Manjusha and present applicant. Independent witnesses speak about co-accused quarreling with husband, while in company of two male persons. Learned APP pointed out that, rickshaw, which was driven by deceased, carries blood stains and it is incriminating material. Paper shows that, when this Court shows disinclination to grant relief of bail, co-accused Manjusha has withdrawn her bail application. Therefore, though investigation is over and charge-sheet is filed, considering the nature of allegations, this Court does not consider to fit case for grant of bail at this stage. Hence, the following order.

ORDER

Application is rejected.

**ABHAY S. WAGHWASE,
JUDGE**