



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

BAIL APPLICATION NO. 82 OF 2025

Vilas Subhash Palode

Age: 40 years, Occu.: Labour,

R/o. Jalgaon Sapkale,

Tq.Bhokardan, Dist.Jalna.

..Applicant
(Org. Accused)

Versus

The State of Maharashtra

(Through Paradh Police Station,

Tq.Bhokardan, Dist.Jalna)

..Respondent

.....

Advocate for Applicant : Ms.Nima R.Suryawanshi
(through Legal Aid)

APP for Respondent : Mr.VM.Jaware

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 08 APRIL, 2025

PRONOUNCED ON : 09 APRIL, 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in crime no.0116 of 2024 registered at Paradh Police Station, District Jalna, for offence under Sections 103(1), 351(2), 351(3) of the Bharatiya Nyaya Sanhita.

2. Pointing to the date of arrest of applicant as 07-07-2024, it is submitted that there are allegations of assaulting by means of an axe. That, there was mere agricultural dispute. That, there was no

intention. That, incident occurred all of a sudden. According to learned counsel, there is no direct evidence. That, it is doubtful whether axe was at all in the hands of applicant. That, there is false implication and moreover, now investigation is over and chargesheet is already filed in July, 2024. Therefore, when no further recovery or discovery is to be made, learned counsel urges for grant of regular bail.

3. Learned APP opposed application on the ground that informant is mother of applicant. That, applicant has assaulted his own father and committed his murder for not giving share in the property. That, under influence of liquor, there is assault on head by deadly weapon like axe. That, informant mother is an eye witness. That, axe is recovered from the applicant. That, blood stained clothes are also recovered from him. As there is apprehension of misuse of liberty, though chargesheet is filed, learned APP opposes bail application.

4. Heard. Perused the papers. FIR Dated 07-07-2024 is at the instance of Laxmibai Subhash Palode. She has reported that their son namely Vilas was addicted to liquor and was not doing any work for earning. On 06-07-2024, after she and her husband returned

from agriculture work, at around 07:30 p.m., present applicant was under influence of liquor and was insisting for selling agricultural land and to transfer land in his name. When, she and her husband refused, he allegedly threatened to kill his father. She reported that a month and half back, their son had thrown deceased Subhash, her husband and father of applicant, from terrace. On 06-07-2024, at around, 11:00 p.m. to 11:30 p.m. she saw her son Vilas going with axe in his hand towards a shed. They heard noise of deceased and therefore, she and her daughter-in-law both went and saw that deceased had suffered head injury and applicant was present there with an axe. On above allegations above crime was registered.

5. *Post mortem* report shows that deceased had suffered three laceration injuries over occipital region, which are skull, skull cavity deep. Column no.19 shows depressed fracture and lacertation to skull and various parts of skull and death is attributed to head injury. Therefore, this is a case where on refusal to sell agricultural land, addicted applicant committed murder of his own father. In view of apprehension expressed by learned APP, though chargesheet is filed, this Court is not inclined to grant relief as prayed. Hence, following order is passed. :

ORDER

Bail Application is rejected.

(ABHAY S. WAGHWASE)
JUDGE

SPT