



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 BAIL APPLICATION NO. 165 OF 2025

Ram Manik Talekar,
Age : 35 years, Occupation: Business,
R/o. Khandoba Market,
Tq. & Dist. Parbhani,
At present R/o. Near Tamboli Hospital,
Karegaon Road, Parbhani.

... Applicant

Versus

The State of Maharashtra,
(through Police Inspector,
Nanalpeth Police Station Parbhani).

... Respondent

...
Mr. Satej S. Jadhav a/w. Mr. Niraj Pradeep Chudiwal, Advocate for
applicant.

Mr. G. O. Wattamwar, APP for Respondent-State.

...

CORAM : SANJAY A. DESHMUKH, J.

DATE : 26th AUGUST, 2025

P.C.:-

. Heard learned Advocate for the applicant and learned APP
for the Respondent-State.

2. This is an application under Section 439 of the Code of
Criminal Procedure, 1973, for grant of regular bail in connection with
crime No.0219 of 2023, registered with Nanalpeth Police Station,
District Parbhani, for the offences punishable under Sections 302 and
120-B of the Indian Penal Code (IPC), 1860 .

3. Learned Advocate for the applicant submits that the applicant has been falsely implicated in the present crime solely on the basis of the statement of a co-accused, and there is no independent evidence against him. He points out that co-accused Daulat Ashokrao Shinde and Sharuk Mubarak Chaus have already been released on bail by this Court. At the instance of the applicant, a weapon was seized, but it bears no blood stains. The applicant was arrested on 16th June 2025 along with the other accused. It is further submitted that the trial is likely to take a considerable period of time, and the applicant has strong roots in society. Though the applicant has criminal antecedents, he has been acquitted in all the cases except the present one.

4. Learned APP strongly opposed the application and submits that the evidence of some of the witnesses has already been recorded. He contends that the application may be considered only after the recording of evidence of the family members of the deceased. It is further submitted that the applicant has criminal antecedents and that is a possibility of pressuring the prosecution witnesses. Hence, it is prayed to reject the application.

5. Perused the charge-sheet, particularly the reports, statements of witnesses, the post-mortem report, and the recovery panchanama effected at the instance of the applicant and other co-accused, by which the weapons alleged to have been used in the commission of the

murder of Sameer Ali, who is brother of the Informant, came to be seized.

6. The other three co-accused have already been released on bail. No doubt, the applicant has criminal antecedents; however, he has been acquitted in all those cases except the present one. The applicant has roots in society and he will not flee away from the trial. The trial is also likely to take a considerable time. Considering the principle of parity, as well as the candid principle of bail jurisprudence that *bail is the rule and jail is the exception*, the application deserves to be allowed subject to conditions. Hence, the following order is passed:-

ORDER

- (i). Application is allowed.
- (ii). The applicant in connection with crime No.0219 of 2023, registered with Nanalpeth Police Station, District Parbhani for the offences punishable under Sections 302 and 120-B of IPC be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following conditions:-
 - (a). The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

- (b). The applicant shall not enter in Parbhani city till the decision of the Sessions Case, except the date fixed for hearing of the said Sessions Case.
- (c). If the applicant fails to appear for hearing of the trial for two times consequently without filing any application for examination, the Trial Court is at liberty to proceed further for cancellation of bail.

(SANJAY A. DESHMUKH, J.)

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