



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

BAIL APPLICATION NO. 222 OF 2025

Sharad s/o Ashokrao Adagale
Age: 18 years, Occu.: Education,
R/o. Laul, Tq.Majalgaon,
Dist.Beed.

....Applicant
(Orig. Accused No.1)

Versus

The State of Maharashtra
Through : Police Inspector of Renapur
Police Station, Renapur, Dist.Latur.

.....Respondent

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Advocate for Applicant : Mr.Angad L.Kanade
APP for Respondents: Mr.V.M.Jaware

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CORAM : ABHAY S. WAGHWASE, J.

**RESERVED ON : 19 MARCH, 2025
PRONOUNCED ON : 21 MARCH, 2025**

ORDER :

1. Instant application is for grant of regular bail in crime no.0006 of 2024 registered at Renapur Police Station, Dist.Latur for offence under Sections 302, 201 read with 34 of the Indian Penal Code (IPC).
2. Learned counsel pointed out that applicant is arrested in above crime on 08-01-2024. That, present applicant is shown to be a juvenile and he is barely 18 years of age. That, he is behind bars since more than one year and two months. That, two accused

including applicant are implicated for committing murder of Vaibhav. That, there are allegations that both accused have illicit relations. It is further case of prosecution that, after finding present applicant and co-accused in compromising position, deceased was strangled and also there are allegations of assault by stick. That, whatever recovery was to be made is already made. That, at the instance of co-accused, rope is seized and from the present applicant, stick is seized. Learned counsel submitted that there is no direct evidence and implication of applicant is on statement of co-accused. He submitted that, now investigation is over and chargesheet is filed long back. Therefore, considering young age of the applicant, learned counsel seeks grant of bail by imposing appropriate conditions.

3. Learned APP opposed application on the ground that there is offence of murder. That, after order passed by the Juvenile Court, applicant is decided to be tried as an adult. Learned APP took this Court through the post mortem report and injuries noticed in column 17 and in view of the same, according to learned APP, present applicant does not deserve relief as prayed.

4. Heard. Perused the FIR dated 07-01-2024 at the instance of Suraj Nikam and its substance is that he resides with his family and

his brother Vaibhav and two step brothers namely Rajabhau and Ishwar. He reported that since night of 03-01-2024, his brother Vaibhav went missing and he learnt about it from brother Ishwar on 04-01-2024. As Vaibhav was not found, informant and his brother Ishwar both approached Renapur Police Station and lodged missing. He also reported that wife of his brother Vaibhav namely Neha had illicit relations with someone and she was regularly talking with Sharad Adagale i.e. present applicant on mobile phone. He further stated that on 04-01-2024, at around 07:30 p.m., he learnt from Nitin Dede about some episode of fire taking place behind the house and about Vaibhav missing. On 06-01-2024, he received a phone call from his brother Ishwar informing that dead body of Vaibhav is found and that he has been done to death and thrown near agricultural field of Pawar. That, when informant reached the said spot, he found dead body of Vaibhav and he noticed several injuries on face and head. Informant claims that he and his brothers suspected Neha (wife of Vaibhav) and accordingly, questioned her and informant claims that his sister-in-law i.e. Neha informed that she had relations with present applicant and her husband Vaibhav had seen her in compromising position with present applicant and picked up quarrel and therefore, he was first strangulated and then assaulted and his

dead body was disposed of.

5. Therefore, in the above report itself, it is clear that informant has allegedly received extra judicial confession and the same is made basis of registration of crime. Even learned APP submitted that there is admission by co-accused lady (non-applicant). Taking the above facts into consideration and that, applicant is behind bars since more than one year, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Sharad s/o Ashokrao Adagale be released on bail in connection with Crime no.0006 of 2024 registered with Renapur Police Station, Dist.Latur, on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall not leave area of jurisdiction of Renapur Police Station, Dist.Latur till conclusion of trial, except for attending effective dates before the learned trial Court.

(**ABHAY S. WAGHWASE**)
JUDGE