



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

36 BAIL APPLICATION NO. 364 OF 2025

AFZAL JILEKHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. P. P. More.

APP for Respondent/State : Mr. G. O. Wattamwar.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 25th August, 2025.

P.C.:

1 Heard both the sides.

2 This is an application for grant of regular bail in connection with Crime No.0843 of 2024, registered with Nanded (Rural) Police Station, District Nanded, for the offence punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3 The informant, API of Nanded (Rural) Police Station, District Nanded, averred in the report that on 17th September, 2024 at about 06.00 pm, she received information from S.H.O. Bansode that the applicant, who is Head Police Constable attached to Vimantal Police Station, Nanded, committed murder of his wife by firing at her with a pistol. Thereafter, the informant and other officials rushed to the

spot of incident and found that the wife of the applicant was lying in a pool of blood. Even though the victim was taken to the hospital, she succumbed to the injuries. Thereafter, the report was lodged.

4 The learned counsel for the applicant submitted that the applicant has no criminal antecedents. The applicant committed the murder of his wife in the heat of anger, as the quarrel had taken place all of a sudden. He submitted that the investigation is over and the charge-sheet has been filed. There is no eye-witness to the incident. The applicant has roots in society and will not flee away from the trial. The trial will take long period. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime of murder of his wife. He is having short-tempered and there is possibility of commission of same nature of crime on this part. He pointed out the statements of witnesses, particularly, the son as well as the statement of the colleague of the applicant, who has stated that the applicant is having short-tempered. The learned APP further pointed out the statement of Ganesh Chavan, who is Police Inspector working with the applicant, in which he stated that the applicant frequently quarreled with his wife on petty issues. So many relatives tried to convince him, however, he was not paying heed to them. The learned

APP submitted that if the applicant is released on bail, then there is possibility of commission of the same nature of crime on his part. It is lastly prayed to reject the application.

6 Perused the application and the charge-sheet, particularly, the report and the statements of witnesses.

7 It is an admitted fact that the applicant went to the police station and informed that he had committed the murder of his wife. It is strong evidence of his subsequent conduct as per Section 8 of the Indian Evidence Act, 1872. The pistol used by him is seized at his instance. The statements of witnesses show that the applicant is of short-temper and in the heat of anger, he committed the murder of his wife. Considering the psychology and conduct of the applicant, if he is released on bail, there is a possibility of commission of the same nature of crime on his part. Therefore, the applicant is not entitled to bail. Considering all these aspects, the application deserves to be rejected. Hence, the bail application is rejected.

[SANJAY A. DESHMUKH, J.]