



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 318 OF 2025
WITH
CRIMINAL APPLICATION NO. 835 OF 2025

Amol Baliram Shinde,
Age : 32 years, Occu. : Shopkeeper,
R/o. Dhotre, Tq. Kopergaon,
Dist. Ahilyanagar.

... Applicant

Versus

1. The State of Maharashtra,
2. The Superintendent of Police,
Ahilyanagar, Dist. Ahilyanagar.

... Respondents

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Mr. R. N. Dhorde, Senior Counsel i/b. Mr. V. R. Dhorde, Advocate
for Applicant.

Mr. V. M. Chate, APP for Respondents - State.

Mr. V. S. Kadam, Advocate for Informant (Assist to APP) in
Cri.Appln./835/2025.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 03 APRIL 2025

PRONOUNCED ON : 07 APRIL 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No. 338 of 2024 registered at Kopergaon Gramin Police Station, Dist. Ahmednagar for offence punishable under sections 103(1), 352, 351(2), 351(3) of Bharatiya Nyaya Sanhita.

2. Criminal Application No.835 of 2025 is allowed. The original informant is permitted to assist the learned A.P.P.

3. Learned Senior Counsel submitted that, informant and applicant are neighbours. That, some incident for obstructing way had taken place around 5:45 p.m. That, father of informant questioned present applicant and his friends for consuming liquor on the midst of the road. That, said matter was resolved. It is alleged that, in the night present applicant initially allegedly issued threats and later on gave dash to the motorcycle. That, in the said accident father of informant succumbed. That, false allegations are levelled in the FIR. That, it was not a deliberate act. According to learned Senior counsel, it was clearly road traffic accident. That, even in the hospital, history was reported about accident. That, different colour has been given by informant. Now, investigation is over and charge sheet is already filed, and therefore, as no purpose would be served by further detention, learned Senior Counsel urges for grant of bail.

4. Learned APP as well as learned counsel on behalf of informant have both opposed on the ground that, deceased was deliberately run over by taking vehicle back and forth. That, present applicant also got down getting armed with knife and

issued life threats. Therefore, they both submit that, it is serious a offence of deliberate killing and not accident as is tried to be submitted.

5. Perused the FIR dated 18.10.2024 is at the instance of one Pravin Gagre. Sum and substance of the FIR is that, on 17.10.2024, around 5:45 p.m. after finishing agricultural activity, he and his father Raosaheb, elder brother Prashant and cousin brother Yogesh were returning in the tractor. On the way, present applicant along with Vasant Gaware, Satish Bhate and Lauki Khatkale were consuming liquor on the road and therefore informant's father asked them to sit besides the road. It is further informed that, around 8:10 p.m. present applicant made a telephone call to his brother and started abusing and therefore informant's father said that he would lodge report with police. While informant, his father and brother Prashant were proceedings towards police station, it is alleged that, their motorcycle was given dash by a white car, as a result of which all three fell. He has reported that, when his father was lying on the road, vehicle was taken back and forth. Thereafter, while father was tried to be removed from beneath the vehicle, it is alleged that, present applicant alighted armed with knife and gave threats to cut. Informant's father succumbed to the above incident. Hence, the report.

6. Therefore, taking the above contents of the report lodged by eye witness i.e. son of deceased, submissions made that occurrence is purely an accident cannot be accepted. After the first occurrence, second occurrence has taken place. Act of taking vehicle over a person back and forth suggest something else. Taking such materiel into consideration and the nature of accusations, this court is not inclined to grant bail. Hence, the following order is passed.

ORDER

The application stands rejected.

(ABHAY S. WAGHWASE, J.)