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

BAIL APPLICATION NO. 488 OF 2025

Yuvraj Kailas Patil,
Age: 19 years, Occu.: Labour,
R/o. Near Tukaram Wadi,
Jankinagar, Jalgaon.

... Applicant

Versus

The State of Maharashtra,
Through Investigation Officer,
MIDC Police Station,
Tq. & Dist. Jalgaon.

... Respondent

.....
Mr. Harshal P. Randhir, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 28 APRIL 2025
PRONOUNCED ON : 29 APRIL 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account of his arrest in Crime No.0363 of 2024, registered at MIDC Police Station, Jalgaon, District Jalgaon for offences punishable under Sections 302, 34 of the Indian Penal Code (IPC).

2. Learned counsel for the applicant pointed out that applicant is arrested in above crime on 03.06.2024, and as such, he is behind the bars almost more than a year. That, there are

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allegations that four persons in anger committed murder. He pointed out that, in the FIR only three persons are named as accused. That, present applicant is shown as accused No.3. That, there are allegations of use of knife against non applicant accused Nos. 1 and 2. That, merely because applicant is shown to be present, he has been arrested. He further pointed out that, role of only accused Nos.1 and 2 getting crystallized in the CCTV footage. That, no overt act is attributed to the present applicant. That, investigation is over and charge-sheet is filed in August 2024 itself. Therefore, there is no possibility of matter going for trial, and as applicant is ready to abide all and any conditions imposed by this Court, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that serious offence of murder is committed. That, there is seizure of blood stained pant from the present applicant. That, there are confessional statement. That, there is a direct eyewitnesses account coupled with CCTV footage, and therefore, offence being serious, learned APP seeks rejection of the application.

4. Heard. Perused the papers. FIR dated 03.06.2024 is at the instance of one Megha Lalit Wani. She has reported that, her husband Lalit goes for work in a company at Gadegaon. That, on 02.06.2024, her husband was on second shift duty, and

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therefore, he had gone. He was expected to return by 12:00 in the midnight, but he did not return. She further reported that, on 03.06.2024, her neighbour informed that her husband is lying on the heap of sand near Dr. Arjun Bhangle's Hospital. Therefore, they went there and saw him lying with injuries, and informed the police. After being taken to Hospital, her husband was examined and declared dead. Later on, she claims that, she learnt from the police that, on 03.06.2024, Hemant Keshav Sapkale, Kamal Kiran Bagde and Yuvraj Kalidas Patil (present applicant) assaulted her husband by sharp weapon. Thus, apparently, FIR is on the basis of information allegedly received by informant by police.

5. Learned APP has submitted that, there is CCTV footage, but the same show the role of only non applicants Hemant Sapkale and Kamal Bagde. No overt act is primarily surfacing against the present applicant. Now, investigation is over and charge-sheet having been filed in August 2024, and there being no immediate prospects of matter going for trial, and therefore, relief as prayed deserves to be granted. Hence, the following order :

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ORDER

(i) Application is allowed.

(ii) The applicant be released on bail in connection with Crime No.0363 of 2024, registered at MIDC Police Station, Jalgaon, District Jalgaon on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter the vicinity where the informant and her family members reside, till conclusion of trial.

[c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[d] The applicant shall attend the concerned police station twice in every week i.e. on every Thursday and Monday, till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane