



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 580 OF 2025

Kapil S/o. Ramdas Gurude,
Age : 30 years, Occu. : Labour,
R/o. Tembhurni, Tq. Ahmedpur,
Dist. Latur.

... Applicant

Versus

The State of Maharashtra,
Through Police Station Officer,
Police Station Udgir Gramin,
Tq. Udgir, Dist. Latur.

... Respondent

.....
Mr. P. P. More, Advocate for Applicant.
Mr. V. M. Jaware, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.
DATED : 23 APRIL 2025

ORDER :

1. Instant application is for grant of regular bail on account of arrest of applicant in Crime No.0564 of 2024 registered at Udgir Rural Police Station, District Latur for offence punishable under sections 103(1), 104, 351(2), 309(4) read with section 3(5) of the Bharatiya Nyaya Sanhita and under section 3/25 of the Arms Act.

2. Learned counsel for applicant pointed out that, applicant is arrested in above crime on 20.10.2024 in a FIR dated

16.10.2024. He submitted that, only allegations against present applicant is that, he allegedly gave his four wheeler vehicle to main accused. Except such allegation, there are no other allegations about any overt act or participation. That, vehicle in question is already seized. That, he has nothing to do with the alleged episode committed by main accused. That, now investigation is over and charge sheet is filed in January 2025. With above limited role and allegations, no purpose would be served by his further continued detention. Lastly it is submitted that, applicant is ready to abide all and any conditions imposed by this court and he urges for grant of bail.

3. Learned APP opposed on the ground that, role of applicant has emerged in pre-occurrence and post occurrence. He has assisted and extended his vehicle to the main accused for commission of offence. That, there is CCTV footage. Therefore, offence being serious, learned APP opposes grant of bail.

4. Perused the FIR is at the instance of Chandarakant Gavhane, who has reported that, his daughter Bhagyashri was married to Sonu @ Amit Natkare and his son-in-law was convicted a case of murder and was currently on parole leave. It is further reported that, 4 to 5 days back, his son-in-law put up demand to

informant's daughter Bhaghyashri for selling their field to raise money for his proposed appeal and had issued threats. On 15.10.2024, son-in-law also quarreled with deceased daughter on same count and he learnt about it from his daughter. On 16.10.2024, telephonic information was received that, there was some quarrel between Bhaghyashri and Sonu and gunshot fire was heard by the landlord. Informant went and saw his daughter lying in a pool of blood in the courtyard. Hence report was lodged against Sonu @ Amit Natkare.

5. Present applicant is arrested in above crime dated 16.10.2024 on 20.10.2024. As pointed out, on visiting summary of charge sheet, only allegations attributed to the present applicant is that he gave his four wheeler vehicle to the main accused. So much is the only allegations. Vehicle in question is already seized. Considering the above nature of allegations, as investigation is over and charge sheet is already filed in January 2025 and when no further purpose is shown to be achieved by further detention, applicant succeeds. Hence, the following order is passed :-

ORDER

- I. The application is allowed.
- II. Applicant Kapil S/o. Ramdas Gurude be released on bail in connection with Crime No.0564 of 2024 registered with Udgir

Rural Police Station, District Latur, on executing Personal Bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one surety in the like amount, on the following conditions:

- [a] The applicant shall not tamper prosecution evidence.
- [b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
- [c] The applicant shall attend the concerned police station once in every week i.e. on every Monday till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)