



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 618 OF 2025

Sandip S/o Trimbak Jadhav
Age : 45 years, Occupation : Labour,
At Post Devlgaon Mahi,
Taluka Devalgaoraja, District Buldhana,
At present Hanuman Nagar, Galli No.2,
Garkheda Parisar, District Aurangabad. ... Applicant

Versus

The State of Maharashtra
Through Police Station Pundliknagar,
Taluka and District Aurangabad. ... Respondent

.....
Mr. Sopan G. Bobade, Advocate for the Applicant.
Mr. P. K. Lakhotiya, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 28.04.2025

Pronounced on : 29.04.2025

ORDER :

1. Present application is for regular bail on account of applicant's arrest in crime no. 315 of 2021 registered at Pundliknagar Police Station, District Aurangabad for offences punishable under Sections 302, 341, 342, 326, 307, 143, 144, 147, 148, 149 and 201 of IPC.

2. It is pointed out that applicant, who is shown as accused no.4 in the charge sheet and accused no. 3 in the FIR, is arrested in August

2021. Charge sheet is filed in November 2021 itself. Applicant is arrested because he happens to be friend of accused no. 5. He is named for the first time in the supplementary statement. That, there are general and omnibus allegations. Whatever was to be recovered, is already recovered. Investigation is over. Though trial has commenced, it is progressing very slowly. Prosecution intends to examine 72 witnesses and therefore, as sufficiently long period would be required to conclude trial, learned counsel urges for grant of bail.

3. Learned APP opposes on the ground that present application is third attempt. There is serious offence of murder and attempt to murder. Applicant is named in the FIR. Learned APP pointed out that five witnesses are already examined. He further pointed out that some of the accused are recalling witnesses who are already examined and thereby contributing to the delay in trial. Learned APP hopes that, trial would conclude soon.

4. Heard. Perused the FIR dated 09.08.2021. Informant Pravin reported that, on 08.08.2021, call was received from Pundlik Nagar Police on the mobile of his mother reporting that, informant's younger brother Aakash was lying injured near Hanuman Nagar and therefore, he and his mother rushed there. That time, police were taking Aakash

to hospital. He claims that, during the journey to hospital, his brother was talking with both, informant as well as their mother, and he informed that in the backdrop of quarrel between his friends and accused Ganesh two days back, when and he and his friend Sagar Raut were walking through a lane of Hanumannagar, accused Ganesh, his brother Rishikesh and his relatives, namely, Sandip Jadhav (present applicant) and Rahul Pawar, and his mother Mangal had obstructed him and Sagar and abused them. That time, Sagar ran away, however Ganesh inflicted knife blows, Rishikesh used iron rod in assaulting Aakash and relatives of Ganesh, namely Sandip Jadhav (present applicant) and Rahul Pawar used wooden *danda* (sticks), whereas Mangal pelted stones. On above report, crime has been registered.

5. Aakash allegedly succumbed to the assault. Consequently, applicant is named and allegation of assault by wooden *danda* is also attributed to him. PM report shows that deceased suffered as many as 33 injuries and died due to shock and hemorrhage due to multiple injuries.

6. Learned APP has made a statement that, trial has commenced and five witnesses are examined. Learned counsel for applicant would

submit that there is long list of 72 witnesses and according to him, trial would take sufficiently long time. However, as trial has already commenced, coupled with the material against the applicant, though he is arrested in 2021, in the light of above discussion, this court is not inclined to grant relief. Hence, I proceed to pass the following order:

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]

vre