



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 639 OF 2025

Ranjit Eknath Salunke

Age : 34 years, Occu. : Labour,

R/o. Behind Petrol Pump,

Gajraj Nagar, Ahilyanagar.

... Applicant

Versus

The State of Maharashtra,

Through Tophkhana Police Station,

Tal. Nagar, Dist. Ahmednagar

... Respondent.

.....

Mr. Sanjay B. Dushing, Advocate for Applicant.

Mr. V. M. Jaware, APP for Respondent - State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 05 MAY 2025

PRONOUNCED ON : 07 MAY 2025

ORDER :

1. Instant application is for regular bail on account of arrest of applicant in Crime No.1213 of 2024 registered at Tophkhana Police Station, Dist. Ahmedngaer for offence punishable under sections 103(1), 103(2), 118(1)(2), 115(2), 324(4), 189(2), 190, 352, 351(2), 351(3), 191(2), 191(3), 140(1), of the Bharatiya Nyaya Sanhita and under sections 37(1), 37(3) and 135 of the Maharashtra Police Act and under section 128/177 of Motor Vehicles Act.

2. It is pointed out that, applicant is arrested in above crime on 17.11.2024. That, present applicant is shown as accused no.5. There are allegations of assault by means of stick that too on the lower limbs like leg. That, there was no intention to kill. That, against applicant there are allegations of using stick. But, applicant himself shifted deceased to the hospital. That, occurrence is of 02.11.2024. That, deceased allegedly died on 14.11.2024. Cause of death is said to be septicemia. That, recovery is already effected. That, investigation is over and charge sheet is already filed. That, no purpose would be served by further detention. That, trial will take long time to commence and conclude and hence bail is urged for.

3. Learned APP opposed on the ground that death is a result of assault by persons named in the FIR including present applicant. That, beating was on suspicion of deceased was a police informer. The column no.17 of post mortem report carries multiple abrasions. Therefore, offence being serious, learned APP opposed the bail.

4. Perused the FIR dated 04.11.2024 is at the instance of deceased Karan Salunke. Deceased Karan in hospital gave statement that on 02.11.2024, while he was sitting at Mama Chowk, near a temple, his acquaintances and relatives namely, Sachin Chavan, Santosh Pawar and Sachin Lallu Pawar came on motorcycle and

informed him that they have to go to collect money from Anil Chavan i.e. brother of Sachin. Therefore, he joined them on motorcycle. That while proceedings towards Sambhajinagar road, it is alleged that, Sachin Pawar abruptly halted the vehicle and on being questioned, he was told that his father is coming and after short while Pravin Pawar, Ranjit Eknath Salunke i.e. present applicant reached there on another motorcycle and without saying anything Pravin Pawar abused him in filthy language and gave him kicks and fist blows. On being asked to that extent, he was questioned for giving information to LCB about selling sword. In spite of he informing that he did not pass any information, it is alleged that, Pravin Pawar whisked out sharp weapon like knife from his waist and inflicted blows on his ear. Ranjit Salunke i.e. present applicant went to the neighbouring bamboo shop, brought wooden danda and assaulted on both legs. Sachin thereafter again picked up stone and hit it on head and back. After which again Santosh Pawar assaulted him by means of waist belt causing him various injuries on various parts of the body and also took out his mobile and cash. He further reported that after short while Ranjit and Santosh Pawar both came and took him to the hospital for treatment. Papers show that, deceased succumbed while undergoing treatment.

5. Though role attributed to present applicant is of use of

sticks, injured himself has reported that while Pravin Pawar abused and beat him by giving kicks and fist blows and when Pravin Pawar was assaulting by way of knife, at that time, it it alleged present applicant went to a bamboo shop and returned along with danda and used the same on the lower limbs. As pointed out by learned APP, in post mortem report deceased has suffered multiple injuries. Mere act of taking injured to hospital is no good ground to extend benefit of bail.

Taking the allegations into consideration and the above material, though charge sheet is filed, this court is not inclined to grant bail.

7. The application stands rejected.

(ABHAY S. WAGHWASE, J.)