



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

41 BAIL APPLICATION NO. 754 OF 2025

ANAND KISHANRAO GOVANDE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Shrikant G. Kawade

APP for Respondent/State: Mr. N. B. Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18.08.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant Anand Kishanrao Govande / accused no.6 is seeking bail as he was arrested on 01.10.2022 in connection with Crime No.0363/2022, dated 01.10.2022, registered with Shivajinagar Police Station, District Nanded, for the offences punishable under Sections 302, 143, 148, 149 of the Indian Penal Code, 1860 & under Sections 4, 25 of the Arms Act, 1959.

3] The allegations as made against the applicant and other co-accused by the informant, who is the brother of the deceased is that the applicant and the co-accused have committed murder of the deceased Yashpal. It is stated that on 30.09.2022, there was some dispute as regards flow

of the drain water. It is stated that on 30.09.2022, at around 07:30 p.m., when the deceased was standing in front of his house, accused no.1 – Amol came with knife along with other co-accused. It is stated that accused no.3 - Kiran and the present applicant – accused no.6 caught hold hands of the deceased and accused no.1 assaulted the deceased by means of knife and gave a stab injury. First stab injury was avoided by the deceased and the injury was on the forearm. Thereafter, second stab injury was on the chest, which is noted at no.5 of the Postmortem Report in Column No.17. The injury on forearm is at no.6 of Column No.17. The cause of death is stated to be haemorrhage and shock due to stab injury to chest, which is injury no.5 in column no.17.

4] The learned counsel for the applicant submits that the accused no.1, assaulted the deceased by means of the knife. The other family members including wife, mother, sister and brother-in-law are roped in the said offence, although, they had no role in the assault. He submits that the applicant is 50 years old person and that he has no role in the incident and, in any event, even if the case of the prosecution is taken as it is, there is no assault at the instance of the applicant.

5] Per contra, the learned APP points out that there are 2 eye witnesses statement, one is of the informant,

who has stated that accused no.3 - Kiran and the present applicant – accused no.6 has caught hold one hand of the deceased, while accused no.3- Kiran caught hold of other hand of the deceased; so as to facilitate accused no.1 to give stab injury on the deceased. He submits that the role of the applicant, thus, cannot be separated from the main accused i.e. accused no.1 and that Sections 143,148, 149 of IPC are made applicable.

6] Having considered the rival submissions, it is to be noted that the incident is on account of some trifle issue of flowing drain water and that on account of the same, accused no.1 has assaulted the informant. He has given 2 stab injuries, one on the forearm and one on the chest. The said injury on the chest is fatal. The applicant is stated to be involved in the offence, wherein it is stated that the applicant has caught hold one hand of the deceased. There is no direct assault by the applicant. The assault is by accused no.1. However, all the family members are implicated and all the lady members are granted bail by the Sessions Court. Role attributed to them is that they have assaulted by means of fist and kick blows, as such, bail is granted to them by the learned Sessions Court.

7] Prima facie, considering the above and the possibility of the family members roped in the crime cannot be completely ruled out. The applicant is in custody from

01.10.2022 and considering role particularly attributed to the applicant that he has caught hold one hand of the deceased and the assault is by accused no.1. Considering this aspect of the matter, the applicant can be granted bail.

8] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0363/2022, dated 01.10.2022, registered with Shivajinagar Police Station, District Nanded, for the offences punishable under Sections 302, 143, 148, 149 of the Indian Penal Code, 1860 & under Sections 4, 25 of the Arms Act, 1959, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence

the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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