



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

1003 BAIL APPLICATION NO. 762 OF 2025

GAJANAN VITTHAL BHUYARE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. A. R. Nikam, Advocate for Applicant
Mr. R. S. Wani, APP for Respondent/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 16.09.2025

PER COURT :-

1. Heard.
2. This is an application for granting bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.170 of 2024 registered at Deglur Police Station, District Nanded, for the offences punishable under Sections 143, 147, 148, 149 and 302 of the Indian Penal Code, 1860.
3. The informant averred in the report that his brother, Mariba Nivrutti Bhuyare, was addicted to liquor. On one occasion, he snatched the Mangalsutra of Anteshwara Hanumant Kambale and since then, he was absconding. During the Diwali season, the informant's brother came home and killed his two goats. On 17.04.2024, he burned Stovers (Kadba) belonging to five villagers. At that time, he was beaten by the villagers and thereafter he ran away. On 19.04.2024, the applicant and

other co-accused allegedly assaulted the informant's brother near the Mahadev Temple by tying his hands and legs. The informant did not intervene due to fear that the applicant and co-accused may also assault him. Later, his brother was taken to Degloor Police Station, District Nanded. On 20.04.2024, the informant came to know that his brother had died and therefore, a report was lodged against the applicant and co-accused.

4. The learned advocate for the applicant submitted that the applicant has roots in the society and he will not flee away from the trial. The applicant has no criminal antecedents. The trial will take long period. He lastly prayed to allow the application.

5. The learned APP for the State strongly opposed the application and pointed out the post-mortem report and statements of witnesses. He submitted that there is direct evidence of eye-witnesses, who saw the applicant while assaulting the deceased, Mariba Nivrutti Bhuyare. Considering the serious nature of the crime, he lastly prayed to reject the application.

6. Perused the charge-sheet, particularly the report, statements of witnesses and the post mortem report. The charge sheet has been filed. The applicant has no criminal antecedents. The trial will take a long period. The applicant has roots in the society and he will not flee away from the trial. Considering all these aspects, without adverting to the merits of the case, it

would be proper to release the applicant on bail on the principle that bail is rule and jail is exception. Hence, the following order:

::ORDER::

- I. The application is allowed.
- II. The applicant, in connection with Crime No.170 of 2024 registered at Deglur Police Station, District Nanded, for the offences punishable under Sections 143, 147, 148, 149 and 302 of the Indian Penal Code, 1860, be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

[SANJAY A. DESHMUKH, J.]

HRJadhav