



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

980 BAIL APPLICATION NO. 804 OF 2025

DINESH SURESH MORE ALIAS BHIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Siddhesh S. Ghodke.
APP for Respondent/State : Mr. K. K. Naik.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 18th September, 2025.

P.C.:

1 Heard.

2 This is an application for grant of regular bail in connection with Crime No.253 of 2024, registered with Sindkheda Police Station, District Dhule, for the offences punishable under Section 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short "the BNS").

3 The informant averred in the report that on 16th September, 2024 at about 09:30 pm, his son Deepak came to the house under the influence of Tadi. Therefore, the informant and his wife were enraged. After having dinner, Deepak left the house by saying that he was going out for a walk. Thereafter, the informant and his wife went to sleep. On 17th September, 2024, at about 08:00 am,

when they woke up, they noticed that their son Deepak did not return back to the house. They took search of Deepak. One Sunil Koli informed them that Deepak was lying in the agricultural land of one Nilkanth Sonje. The informant immediately proceeded to said field and saw that his son Deepak was lying unconscious. The zip of his jeans pant was open. He saw that blood was oozing from his private part. The informant tried to awake Deepak. But they found that Deepak is no more. The informant and his relatives, namely, Pintu Bhil and Sajan More etc. went to the house of the sister of the applicant and inquired with her. She told them that on the previous night Deepak came to her house asking for water, and after drinking water, he had called her to meet him at the agricultural land near to Juni Bhilati locality. She went there. Deepak was waiting for her. They indulged in sexual relations there. Thereafter, Deepak angrily questioned her as to whether she was having relations with others. She said to him that she loved him sincerely for the last two years. At that time, Deepak started to beat her with fist blows. She also beat him with fist blows. She made him to fall down. Thereafter, while Deepak was lying on the ground, she kicked him on his private part, due to which he became unconscious. Thereafter, the sister of this applicant went to the house. The informant told that fact to the Police Patil of the village and other villagers. Thereafter, the report was lodged on 17th September, 2024.

4 The learned counsel for the applicant submitted that witness Nanabhau Soma More (Bhil) in his statement submitted that Deepak was beaten by the applicant and his brother and sister by fists blows. He saw it, but because of the fear he went into his hut and did not tell it to anybody. His statement was recorded on 24th September, 2024. The learned counsel for the applicant submitted that there are general allegations against this applicant that he assaulted Deepak. Except that, there is no other evidence. He submitted that the applicant has roots in the society and he will not flee away from the trial. The trial will take long period. The applicant has no criminal antecedents. He will not pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime. He pointed out the postmortem report showing 10 injuries sustained to Deepak, by which he succumbed on the spot. He further submitted that if the applicant is released on bail, he will pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as the postmortem report. No any

weapon is seized at the instance of any of the accused, particularly, from this applicant. The applicant has roots in the society and he will not flee away from the trial. The trial will take long period. The applicant has no criminal antecedents. Considering all these aspects, without advertent to the merits of the case, it would be proper to allow the application on the principle that bail is rule and jail is exception. The application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.253 of 2024, registered with Sindkheda Police Station, District Dhule, for the offences punishable under Section 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.15,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]