



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

952 BAIL APPLICATION NO. 1146 OF 2025

**NAVNATH TULSHIRAM WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA**

...

Mr. R. G. Hange and Mr. H. R. Hange, Advocate for Applicant
Mr. S.B. Narwade, APP for Respondent-State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 20.09.2025

PER COURT :-

1. Heard.
2. Leave to amend the name of applicant.
3. This is an application for granting bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.110 of 2024, registered at Udgir Police Station, District Latur, for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 1860.
4. The learned advocate for the applicant pointed out the contents of the report, in which the informant averred that on 24.02.2024, Shankar Surnar came to her house and informed her that her mother was not at home and that the house was locked. Thereafter, the informant went there and unlocked the house. When the informant entered in the house, she saw that her mother was lying in a pool of

blood, having injuries on her neck caused by a sharp weapon. The informant immediately called her brother, Vajinath and informed him that someone had killed their mother. At that time, the applicant arrived at the spot of incident. Thereafter, a report was lodged against an unknown person for committing the murder of the informant's mother.

5. The learned advocate for the applicant further submitted that the evidence of eight witnesses has already been recorded and only the evidence of the Investigating Officer remains to be recorded. He 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 learned advocate pointed out the Roznama and submitted that there is no incriminating material against the applicant, as the witnesses have not supported the prosecution's case.

6. The learned advocate for the applicant relied on the decision in ***Balkrishna Tukaram Angre Vs. The State of Maharashtra***, in Criminal Appeal No.1704 of 2017 arising out of SLP (Crl.) NO.4369 of 2017, particularly paragraph Nos. 3 and 4, which read as under:

“3. The entire case of the prosecution rests on circumstantial evidence. The appellant has been in custody for fifteen months. Charge sheet has already been filed in the case. Having heard learned counsel for the parties, we are of the view that it is just and proper to release the appellant on bail.

4. Therefore, we order him to be released on bail on execution of a bond with two sureties to the satisfaction of the trial Judge. We permit the trial Judge to

impose such conditions as he feels necessary for ensuring the appellant's attendance on the dates of posting in the trial court."

The learned advocate for the applicant, lastly prayed that the applicant be granted bail, as there is no substantial material against him.

7. The learned APP for the State strongly opposed the application and submitted that the applicant is involved in a serious crime. As per the Roznama produced by the applicant, the trial is likely to be concluded within a month. Therefore, it is lastly prayed to reject the application.

8. Perused the charge-sheet and statements of witnesses. Only the evidence of the Investigating Officer is to be recorded. It is expected that the trial will be concluded within a month. Considering this aspect, the application deserves to be rejected, as the evidence cannot be directly considered at the time of granting of bail. Accordingly, the application is rejected.

9. The learned Trial Court is directed to conclude the trial on or before 17.10.2025 by keeping the matter at least twice in a week. If the trial is not concluded by that date, the applicant is at liberty to file a fresh application for bail before the Trial Court.

[SANJAY A. DESHMUKH, J.]