



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

96 BAIL APPLICATION NO. 1321 OF 2025

Vithal Uttam Wagh
VERSUS
The State Of Maharashtra

...

Mr. A. R. Salve, Advocate for Applicant
Mr. K. K. Naik, APP for Respondent/State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 29.09.2025

PER COURT :-

1. Heard.
2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.573 of 2024 registered at Satara Police Station, District Chh. Sambhajinagar (City), for the offences punishable under Sections 103(1) and 85 of the Bharaitya Nyaya Sanhita, 2023.
3. The informant, father of the victim, Radhakisan averred in the report that his daughter Bharti was married to the applicant in January 2024. After the marriage, they resided at Chh. Sambhajinagar. The applicant, Vitthal, was doubting Bharti's character and frequently harassed her. On account of such harassment, on 08.12.2024, the informant brought his daughter Bharti to Mahunagar, Chh. Samhajinagar. On 15.12.2024, the applicant visited the house of his

relative, Khandu Vitthal Gadve, who resides in front of the house of the informant. On 16.12.2024, the informant's wife Ranjana and his Son Rahul had gone to their workplace, while Rahul's wife Shital had gone to wash clothes. At about 11.30. a.m., the informant had also gone to the bank. At that time, only the informant's daughter Bharti and Rahul's minor daughter Kanak, were present at home. Between 12.30 p.m., to 01.30 p.m., the informant received a phone call informing him that his daughter Bharti had been assaulted by her husband, the applicant and that he had fled from the spot, leaving her unconscious. The informant immediately rushed to the place and found his daughter Bharti lying in a pool of blood. A rounded iron rod was also found at the scene. He then took his daughter to the hospital but the doctor, upon examination, declared her dead. Thereafter the informant lodged a report alleging that the present applicant had committed the murder of his daughter Bharti.

4. The learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. There is no material against the applicant. The applicant has roots in the society and he will not flee away from the trial. He has no criminal antecedents. 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 a serious crime of murder. He

committed the murder of his wife in the house of her father. There is evidence of a child witness who has stated that how the applicant assaulted the daughter of informant. The motive for the crime is also clear, as the applicant was suspecting the character of the deceased. The Post mortem report shows that the death was homicidal in nature. It is lastly prayed to reject the application.

6. Perused the report, particularly the statements of witnesses as well as the post mortem report. The post mortem report shows that the cause of death was hemorrhages and shock due to multiple injuries. There is evidence of an eye-witness and the clothes of the applicant are seized which are having blood stains. The applicant is involved in a serious crime of committing murder of his wife. Considering the material on record, there is possibility that if he is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. Considering all these aspects, no case is made out for grant of bail to the applicant on the principle that bail is rule and jail is exception. The application is rejected.

[SANJAY A. DESHMUKH, J.]

HRJadhav