



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

76 BAIL APPLICATION NO. 1325 OF 2025

1. Mahesh Dattatraya Telore.
 2. Dipak Mahadev Telore.
- ... Applicants**

Versus

The State of Maharashtra.

... Respondent

...

Advocate for Applicants : Mr. D. R. Kale.
APP for Respondent/State : Mr. D. J. Patil.

...

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

DATE : 25th August, 2025.

P.C.:

1 Heard both the sides.

2 This is an application for grant of regular bail in connection with Crime No.1035 of 2024, registered with Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 103(1), 103(2), 118(1), 189(1), 189(2) and 190 read with 3(5) of the Bharatiya Nyaya Sanhita.

3 The informant averred in the report that on 28th December, 2024, at about 02:30 pm, in the village Warkhed Sangvi, Taluka Shevgaon, District Ahilyanagar, near the Maruti Temple, applicant No.1 called the husband of informant for paying salary as driver. At that time, applicant No.2 and Amol Raosaheb Ubale and other unknown persons were present. They assaulted her husband on his stomach and chest by wooden log. At that time, Ganesh Raosaheb Vanjari tried to resolve the quarrel and brought the husband of informant to the house. After some time, her husband started vomiting and therefore, he was taken to Kate Hospital at Chapadgaon. On 29th December, 2024, he was admitted to Shridip Hospital, Ahilyanagar. As his condition did not improve, he was shifted to Sai Asian Hospital, Ahilyanagar. On 2nd January, 2025, her husband died. The report was lodged on 31st December, 2024.

4 The learned counsel for applicants submitted that the alleged wooden log is not seized. Supplementary statement of the informant is recorded, in which she has clarified that he husband was assaulted by kicks and fists blows. He submitted that there was no such intention to kill the husband of informant. The applicants have no criminal antecedents. They have roots in the society. They will not flee away from the trial. Trial will take long period. Investigation is over and charge-sheet has been filed. It is lastly prayed to allow the

application.

5 The learned APP for the State strongly opposed the application and submitted that the applicants are involved in the serious crime of murder. There is evidence of eye-witness that the applicants assaulted the husband of informant and therefore, he died. He submitted that if the applicants are released on bail, they will pressurize the prosecution witnesses. It is lastly prayed to reject the application.

6 Perused the application and the charge-sheet, particularly, the report and the statements of witnesses as well as the postmortem report. The incident took place all of a sudden. Though it is alleged that the husband of informant was assaulted with the sticks, no such stick is seized. On the contrary, there are statements of witnesses, which show that the applicants and co-accused assaulted the husband of informant with kicks and fists blows. Considering the fact that the investigating is complete and charge-sheet is filed, the applicants have no criminal antecedents, they have roots in the society, they will not flee away from trial, trial will take long period and the presence of the applicants can be secured, the applicants are entitled for bail on the principle that bail is rule and jail is exception. Considering all these aspects, the application deserves to be allowed on certain conditions.

Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicants in connection with Crime No.1035 of 2024, registered with Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 103(1), 103(2), 118(1), 189(1), 189(2) and 190 read with 3(5) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.50,000/- each with surety of the like amount by each of them on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicants shall not tamper with the prosecution evidence, in any manner.
 - c) The applicants shall not enter village of the informant i.e. Warkhed Sangvi, Taluka Shevgaon, District Ahilyanagar, till the conclusion of trial.

[SANJAY A. DESHMUKH, J.]