



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 BAIL APPLICATION NO. 1346 OF 2025

Vijay Pandurang Patil
VERSUS
The State of Maharashtra

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Advocate for Applicant : Mr. Mahesh S. Bhosale
APP for Respondents: Mr. R.S. Wani

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 25th SEPTEMBER, 2025.

PER COURT :-

1. This is an application for granting regular bail under section 483 of Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 25 of 2025 registered with Ambi police station, District Dharashiv, for the offences punishable under Sections 103(1), 109, 238, 115(1), 3(5), 190, 193(2), 191(2), 189(2) and 118(2) of Bhartiya Nyay Sanhita, 2023.

2. Learned advocate for the applicant pointed out the report and the statements of witnesses, in which it is averred that wife of co-accused Rahul was having love affair with the Mauli Babasaheb Giri, son of the informant. The said fact was noticed by the father of the girl. He performed her marriage with Rahul. Thereafter, also Mauli used to visit the wife of co-accused Rahul and used to make her

phone calls frequently. On 03.03.2025, when the husband of the woman went to work, the Mauli son of the informant had called the wife of Rahul and asked her to come to meet him. The son of the informant called her in a house and when they were chatting, door was latched from inside. The co-accused Rahul, the husband of the woman, came there and knocked the door. However, the door was not opened inspite of frequently knocking. Then co-accused Rahul and the applicant dashed the door from outside and took motor cycle of the Mauli and went away. Thereafter, one more co-accused and Rahul came there. They broke the door and started to beat the Mauli. Wife of co-accused Rahul was requesting them not to beat him but they were beating him by the stick and iron pipe. He was beaten in another room also. Thereafter, he was thrown by the side of the road. He was admitted in the hospital. The report was lodged. The injured succumbed to the injuries on 16.3.2025. Accordingly the section 302 came to be added.

3. Learned advocate for the applicant submitted that the applicant is falsify implicated in the crime. He has no criminal antecedents. He pointed out the letter issued by the police to the Medical Officer, Samarth Hospital, Jamkhed, Tq. Jamkhed, District Ahilyanagar, in which it is stated that Mauli sustained injuries caused by a bullock and therefore, he is admitted in the hospital. He submitted that the

applicant has roots in the society, he will not flee away from the trial. The trial will take a long period. He lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the wife of the co-accused Rahul stated that the applicant and co-accused beaten Mauli, who was loving with her. It is submitted that there is strong evidence against the applicant. The applicant is involved in serious crime of murder. He lastly prayed to reject the application.

5. Perused the charge sheet, particularly the report as well as the post mortem report. The alleged incident took place all of a sudden. Entire investigation is over and the charge sheet is also filed. The trial will take a long period. The applicant has roots in the society. The presence of the applicant can be secured for the trial. Considering all these aspects, a case is made out for grant of bail on the principle that the bail is rule and jail is exception. Hence, the following order.

O R D E R

I. Application is allowed.

II. The applicant in connection with crime No. 25 of 2025 registered with Ambi police station, District Dharashiv be released on bail on furnishing personal bond of Rs.25,000/- 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.)

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