



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

932 BAIL APPLICATION NO. 1350 OF 2025

**SHUBHAM ALIAS DYADYA SANJAY SHANKPAL
VERSUS
THE STATE OF MAHARASHTRA**

...

Mr. Shinde Dhananjay M., and Ms. Gadge Arati Taterao, Advocate for
Applicant

Mr. R. S. Wani, APP for Respondent/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 07.10.2025

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.501 of 2024, registered at Shivajji Nagar Police Station, District Nanded, for the offences punishable under Sections 103(1), 109, 118(2), 115(2), 189(2), 191(2), 191(3), 190 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. It is averred in the report that on 17.12.2024 at around 11:30 P.M., the informant along with his friend, Deepak Paikrao went to Ambedkar Nagar Road for food. At that time, three to four persons obstructed their way and assaulted them with fist and kick blows. Sonu and Dyadya caught hold hands of the informant while Niket @ NDK

and Prem bumped his head on the wall. As a result of which the informant sustained head injury and started bleeding. Sonu and Dyadya along with co-accused also assaulted Deepak with fist and kick blows. During the incident, Anu assaulted Deepak on his face and head with a stick. Thereafter, Sonu, Dyadya, Dhumale and other co-accused threw Deepak in a drainage. Deepak sustained serious head injuries and succumbed to those injuries. The informant became unconscious and later the police arrived there and shifted them to the hospital.

4. The learned advocate for the applicant submitted that the incident took place all of a sudden and was not premeditated. The applicant has roots in the society and has no criminal antecedents. The charge sheet has been filed and trial will take a long period. Considering the role of the applicant, it is lastly prayed to grant bail to the applicant.

5. The learned APP for the State strongly opposed the application and pointed out the report, statements of witnesses, CCTV footage, post mortem report and injury certificates. He submitted that the applicant is involved in a serious crime of murder, if he is released on bail, he will certainly 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, statements of witnesses, post mortem report, injury certificate and details of the CCTV footage. The incident took place all of a sudden. It is not a pre-planned murder. The applicant has no criminal antecedents. The applicant has roots in the society and he will not flee away from the trial. The trial will take a long period. Considering all these reasons, the application deserves to be allowed on the principle that bail is rule and jail is exception. Hence, the following order:

::ORDER::

- I. The application is allowed.
- II. The applicant, in connection with Crime No.501 of 2024, registered at Shivajji Nagar Police Station, District Nanded, for the offences punishable under Sections 103(1), 109, 118(2), 115(2), 189(2), 191(2), 191(3), 190 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing personal bond of Rs.50,000/- 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.]