



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1379 OF 2025

Vikas Narayan Wagh
VERSUS
The State Of Maharashtra

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- Mr. Magar Balasaheb N., Advocate for Applicant
- Ms. D. S. Jape, APP for Respondent-State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 11.11.2025

PER COURT :

1. The applicant has approached this Court seeking grant of regular bail in connection with FIR bearing Crime No. 44 of 2023, dated 08.02.2023, registered at Vaijapur Police Station, District – Chhatrapati Sambhajingar (Rural), for the offences punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code, 1860.

2. The case of the prosecution, in brief, is that an FIR has been lodged by informant Police Patil of Dhondalgaon village, stating that on 07.10.2023 at approximately 04:00 p.m., he received information *via* mobile from Rameshwar Awhar that a noise of quarrel was heard in front of Narayan Wagh's house, involving a fight between Narayan

and his children. Subsequently, he, along with Vilas Wagh and Balasaheb Wagh, went to Narayan Wagh's residence, where Vikas Wagh, Shuham Wagh, Indubai Wagh, Rustum Wagh, and Chitrabai Wagh were present. He observed that 2 to 3 stones were lying on the platform. Shubham Wagh and Vikas Wagh confessed that their father frequently quarrelled with family members under the influence of liquor. Consequently, they killed him by assaulting him with stones and an iron rod, and thereafter, by pouring kerosene on him, they set him on fire. Police Patil then informed the police, who rushed to the scene and transported the deceased body to the hospital. Therefore, the FIR has been filed.

3. It is the submission of the learned counsel for the applicant that the applicant is arrested on 08.02.2023, and that the applicant is behind bars from 02 years and 09 months and as such the trial would take its own time to conclude and that the applicant being the sole breadwinner of the family, he may be released on bail.

4. As against this, the learned APP vehemently opposes the present bail application as the applicant has committed murder of his father. She further submits that the complainant – Police Patil has immediately approached on the spot, wherein the applicant has confessed to have committed murder of his father along with his brother – Shubham Wagh. She, therefore, submits that this may not

be the case wherein the Court can exercise its discretionary powers to grant bail to the present applicant.

5. I have gone through the charge-sheet and the order passed by the learned Sessions Court, rejecting the bail application. It could be seen from the record that the prosecution has cited 22 witnesses, out of which only 4 have been examined so far. The complainant – Police Patil has already been examined. The applicant has been in custody since 08.02.2023. It is also noted that the remaining witnesses are not appearing despite issuance of summons by the learned Trial Court. Hence, the trial is likely to take further time for completion. In these circumstances, further incarceration of the applicant may not be necessary. Hence, I pass the following order:-

ORDER

- A) The applicant - Vikas Narayan Wagh, in connection with FIR bearing Crime No. 44 of 2023, dated 08.02.2023, registered at Vaijapur Police Station, District – Chhatrapati Sambhajingar (Rural), for the offences punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code, 1860, shall be released on bail on furnishing PR Bond of Rs. 50,000/- with one or two sureties in the like amount.
- B) The applicants shall not tamper with the prosecution evidence in any manner. A single incident of such conduct shall entail cancellation of bail.
- C) The applicant shall attend the trial without fail and may seek exemption only in case of genuine emergency.

D) The applicant shall furnish his residential address, contact number, and copies of his Aadhaar / PAN Cards to the Investigating Officer, and shall also provide the names, addresses, and contact numbers of his close relatives for the purpose of verification.

6. The application stands allowed in the above terms.

(MEHROZ K. PATHAN, J.)