



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

BAIL APPLICATION NO. 1414 OF 2025

BABLU ALIAS PARMESHWAR NARAYAN JONDHALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr.Sunil G. Magre, Ms.Pratiksha S. Magre
APP for Respondent : Mr. R. R. Tandale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 03-12-2025

PER COURT:-

1. The applicant is seeking regular bail in Crime No.01 of 2025 registered with Malkoli Police Station, Taluka Loha, District Nanded, dated 01.01.2025, for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023. In connection with the same, the applicant is arrested on 01.01.2025.
2. Heard the learned counsel for the applicant and the learned A.P.P. for the State. Perused the chargesheet made available.
3. It is case of the prosecution that on 31.12.2025 the deceased proceeded with the applicant accompanied with other co-accused to visit the Malegaon fair. At about 6.30 p.m. the relatives of the deceased came to know that the deceased was admitted in the Government Hospital, Vishnupuri, Nanded. The deceased had sustained injuries and succumbed to death. Accordingly, the FIR was registered.

4. Learned counsel for the applicant submits that the applicant is arraigned as accused on the basis of the alleged information at the instance of co-accused. The investigation is completed and chargesheet is filed to that effect. It is further submitted that the co-accused are also released on bail, as such, the applicant is entitled to be enlarged on bail on the ground of parity. The applicant is behind the bars for the past six months. Hence, prayed to allow the application.

5. Per contra, Learned A.P.P. has opposed the application. It is submitted there is sufficient material against the applicant. The deceased is brutally killed and the offence is of serious nature. Hence, submitted to reject the application.

6. Perusal of the record indicates that the statement of complainant under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, indicates similar role attributed to all the accused persons. Except the present applicant, all other accused persons are enlarged on bail. As such, the applicant is also entitled for parity. Also, in absence of prelude to commit the alleged offence, the applicant is entitled for bail. The investigation is carried out by the investigating agency and the chargesheet is also filed. As such, nothing is to be recovered at the instance of the applicant, and resultantly, the question of tampering with the evidence does not arise and necessary stringent conditions can be imposed in that regard.

7. Thus, in my considered opinion, the prolonged incarceration of the applicant is unjustified and can be released on bail by imposing stringent conditions. Hence, the following order:-

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Bablu Alias Parmeshwar Narayan Jondhale be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in Crime No.01 of 2025 registered with Malkoli Police Station, Taluka Loha, District Nanded, dated 01.01.2025, for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the conditions that,
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall not contact the witnesses to the incident in any manner till conclusion of the trial.
 - (c) The applicant shall attend the trial on each date unless exempted by the trial Court.

[SACHIN S. DESHMUKH]
JUDGE