



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

916 BAIL APPLICATION NO. 1453 OF 2025

VINAYAK HIMMATRAO TUPE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Nilesh S. Ghanekar.
APP for Respondent / State : Mr. R. S. Wani.
...

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

DATE : 10th October, 2025.

P.C.:

1 Heard.

2 This is an application, under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short "the BNSS"), for grant of
regular bail in connection with Crime No.148 of 2025, registered with
M.I.D.C. Waluj Police Station, District Chhatrapati Sambhajnagar
(City), for the offences punishable under Sections 103(1) and 238 of
the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS").

3 The learned counsel for the applicant pointed out the
report, which is lodged by the wife of this applicant, stating that her son
Narayan was quarreling with the applicant under the influence of liquor.
Therefore, the applicant assaulted Narayan with an iron pestle.

Narayan sustained injuries and died on the spot.

4 The learned counsel for the applicant submitted that it is not premeditated murder. The incident took place all of a sudden. The applicant has roots in the society and he will not flee away from the trial. Trial will take a long period. Considering all these aspects, it is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the alleged weapon is seized at the instance of the applicant. The applicant's clothes having blood stains are also seized. The applicant has committed murder of his son. Considering all these aspects, it is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statement of the wife of the applicant.

7 Charge-sheet has been filed. The applicant has roots in the society and he will not flee away from the trial. Trial will take a long period. Considering all these aspects, the application deserves to be allowed on the principle that bail is rule and jail is exception, on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.148 of 2025, registered with M.I.D.C. Waluj Police Station, District Chhatrapati Sambhajinagar (City), for the offences punishable under Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.50,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]

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