



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

BAIL APPLICATION NO. 1471 OF 2025

HARIBHAU RANBA MOHITE
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondents: Mr. S. N. Morampalle

...

WITH

CRIMINAL APPLICATION NO. 3568 OF 2025 IN BA/1471/2025

MUKUND BALASAHEB JADHAV
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant/Informant : Mr. Y. R. Gandhe h/f.
Mr.Pralhad D. Bachate

...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 08-12-2025

PER COURT:-

1. The applicant is seeking bail in connection with Crime No.79 of 2025, dated 04.03.2025 registered with Police Station Palam, District Parbhani, for the offences punishable under Sections 103(1), 311, 137(2), 118(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023. In connection with the crime, the arrest of the applicant is effected on 08.03.2025. Thereafter, the chargesheet is filed and the investigation is completed.
2. Heard learned counsel for the applicant and the learned APP for the respondent.

3. The prosecution case is that co-accused took the father of the informant to Railway Bridge, Purna and assaulted the injured by a stone. As a result of the assault, the father of informant sustained grievous injuries in the assault. The alleged incident occurred between 04.30 p.m. 03.03.2025 to 08.00 a.m. of 03.03.2025.

4. The learned counsel for the applicant submits that there was no motive to commit the offence. The applicant has been arraigned as an accused only on suspicion. There is no recovery or seizure of incriminating article at the instance of the applicant which would reasonably connect the applicant with the offence. The last seen theory cannot be applied against the applicant. Continued detention of the applicant is not necessary, and therefore, the applicant may be released on bail.

5. Learned A.P.P. and the learned counsel for the informant vehemently submitted that on the basis of CCTV footage, involvement of the applicant in crime is revealed. It is also submitted that the injured was seen accompanied with the accused and there is sufficient material exists to indicate involvement of the applicant in the crime. There is possibility of tampering with the evidence. Hence, prayed that the applicant may not be granted bail.

6. Considering the fact that the case is based on circumstantial evidence. Except the allegations that the deceased was found in the company of the accused persons, there is no other incriminating material against the applicant. Nevertheless, the identification parade of the accused persons is also not in conformity with rules of regulating the identification parade as provided in the Criminal Manual. The material on record, at this stage, cannot be regarded as sufficient to connect the applicant with the alleged offence.

7. In that view of the matter, a case is made out for grant of bail subject to conditions. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant – Haribhau Ranba Mohite be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in Crime No.79 of 2025, dated 04.03.2025 registered with Police Station Palam, District Parbhani, for the offences punishable under Sections 103(1), 311, 137(2), 118(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023, on the conditions that;
 - (a) The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

- (b) The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.
 - (c) The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (iii) Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.
- (iv) It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made here-in-above.
- (v) In view of the above, Criminal Application No.3568 of 2025 stands disposed of.

[SACHIN S. DESHMUKH]
JUDGE