



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

964 BAIL APPLICATION NO. 1614 OF 2025

**SIDDHANT MANGESH GAWARE
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Rahul R. Karpe, Advocate for Applicant
Mr. R. S. Wani, APP for Respondent/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 20.09.2025

PER COURT :-

1. Heard.
2. This is an application for granting regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.552 of 2025 registered at Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Section 103(1) of the Bhartiya Nyaya Sanhita, 2023.
3. The informant averred in the report that his brother, Kailas Kakade, was addicted to liquor. Approximately 15 days prior to the incident, the deceased Kailas had sold 0.5 acres of his agricultural land to Priyanka Rajput. On 20.06.2025, at around 08:00 a.m., the informant received a phone call informing him that his brother Kailas was found lying dead at Bodhegaon, in front of hotel Raka. The informant went to Bodhegaon and took his brother to Shevgaon Rural Hospital, where he

was declared dead. Accordingly, on 22.06.2025, the informant lodged the report alleging that unknown person had committed the murder of his brother.

4. The learned advocate for the applicant submitted that the applicant is running a medical shop and has no criminal antecedents. The applicant has roots in the society and he will not flee away from the trial. It is submitted that the applicant has been arrested merely on the basis of his presence in the CCTV footage. Although a plastic pipe was seized during the investigation, it is contended that such an object could not have caused serious head injuries sustained by deceased Kailas. It is submitted that the practical investigation is over. The learned advocate for the applicant lastly prayed to allow the application.

5. The learned APP for the State strongly opposed the application and pointed out the post-mortem report, the seizure panchnama of the plastic pipe, and the opinion of the expert doctor who conducted the post mortem examination of the deceased. The learned APP submitted that the investigation is still in progress and that the applicant is seen in the CCTV footage walking at the relevant time. It is lastly prayed to reject the application.

6. Perused the papers of investigation, particularly the report, post-mortem report, seizure panchnama of the plastic pipe and the doctor's

opinion regarding the said pipe. The applicant has roots in the society and he will not flee away from the trial. The trial will take long period. The practical investigation is over. The custody of the applicant is not necessary. Considering all these aspects, prima facie, the injuries caused to the deceased by the plastic pipe is not possible. Therefore, the application deserves to be allowed. Hence, the following order:

::ORDER::

- I. The application is allowed.
- II. The applicant, in connection with Crime No.552 of 2025 registered at Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Section 103(1) of the Bhartiya Nyaya Sanhita, 2023, be released on bail on furnishing personal bond of Rs.25,000/- 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.]

HRJadhav