



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

948 BAIL APPLICATION NO. 1627 OF 2025

ASHOK SATVAJI CHIBHADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Aashish T. Jadhavar.
APP for Respondents / State : Mr. P. P. Dawalkar.
Advocate for assist to PP : Mr. Mukul Madhukarrao Deshmukh.

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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.0077 of 2025, registered with
Jintur Police Station, District Parbhani, for the offences punishable
under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 (for short,
"the BNS").

3 The learned counsel for the applicant pointed out the
report in which the informant (i.e. wife of the applicant) averred that her
husband used to quarrel with her on trifling grounds. Therefore, she

came to her parents' house. On 18th August, 2024, the father of the informant went to the house of the applicant, when the informant was at her parents' house. After some time, the informant was informed that her father had sustained a head injury. The informant and others rushed there. The informant took her father to the hospital for treatment. While her father was undergoing treatment, he passed away on 20th August, 2024. His last rituals were performed. After some days, 16-year-old daughter of informant namely Lakshmi told that her father i.e. the applicant, assaulted her grandfather by a *Tikas*. Thereafter, on 26th October 2024, an application was moved by the informant for prosecuting the applicant, but no FIR was registered. Therefore, the informant filed a complaint under Section 156(3) of the Cr.P.C. Thereafter, directions were given by the learned Magistrate to the police and thereafter, the report was lodged on 13th February 2025.

4 The learned counsel for the applicant submitted that the delay caused for lodging the report is not explained. There is no postmortem report. The applicant is falsely implicated in the crime. The applicant has roots in the society. Trial will take a long period. Charge-sheet has been filed and the custody of the applicant is not necessary. It is lastly prayed to allow the application.

5 The learned APP for the State and the learned counsel

assisting the prosecution strongly opposed the application and submitted that the applicant is involved in the serious crime of murder of his father-in-law. There is evidence of eye-witness. As soon as the incident took place, MLC was forwarded indicating that the father-in-law of the applicant has been assaulted. Further, it is pointed out that at the instance of the applicant, his clothes are seized. The doctor has stated that the injury sustained to the father-in-law of the applicant was operated by him and MLC was sent. Considering all these reasons, it is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses.

7 There is no postmortem report. There is delay of four months for lodging the report. Though MLC was sent, why the police had not taken action immediately is not clarified. The applicant has roots in the society and he will not flee away from the trial. The trial will take a long period. Considering the above reasons, 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.0077 of 2025, registered with Jintur Police Station, District Parbhani, for the offences punishable under Section 103(1) 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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