



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 BAIL APPLICATION NO. 1643 OF 2025

Keraya Risha Barela
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Prakashsing B. Patil
APP for Respondents: Mr. R.S. Wani

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 8th OCTOBER, 2025.

PER COURT :-

1. This is an application for grant of regular bail under section 483 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 249 of 2024 registered with Chopda Rural police station, District Jalgaon, for the offences punishable under Sections 103, 115, 352, 189(1), 189(2), 191(2), 191(3) and 190 of Bharatiya Nyay Sanhita, 2023 and under Sections 37(1)(3) and 135 of Maharashtra Police Act.

2. Learned advocate for the applicant pointed out the report in which it is averred that his brother Suresh, who was having a Mahindra pickup vehicle and he was carrying boys from Vaijapur to Madhya Pradesh for some work. The said vehicle was turned turtle and in that vehicular accident, four boys were succumbed to the injuries. Accordingly, Suresh was prosecuted.

3. On 06.12.2024, the informant and Suresh were proceeding to the court by motorcycle, when they reached at Vaijapur, the informant stopped his motorcycle and was drinking the water there. His brother was in front of house of one Gotu Ramchandra Bhil. At that time, the applicant and other 10 co-accused persons started quarreling with Suresh on account of the vehicular accident took place prior to 2 to 3 years in which 4 boys were died and they started to beat him. The applicant took wooden log/stick in his hand and assaulted on the head of Suresh. He fell down. They again assaulted on his ribs etc. He was admitted in the hospital. However, on examination, the doctor declared him dead. Therefore, report was lodged on the same day against the applicant and others.

4. Learned advocate for the applicant submitted that co-accused are released on bail. The applicant has no criminal antecedents. He will not flee away from the trial. The applicant has roots in the society. The trial will take a long period. Learned advocate for the applicant lastly prayed to allow the application.

5. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant is involved in serious crime of murder of Suresh. There is evidence of eye witnesses and motive for commission of murder of Suresh. The applicant and others were attempting to extort money from him under the pretense of

compensation for the death of four boys. There is strong evidence against the applicant. If he is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

6. Perused the charge sheet as well as the report, statements of witnesses, post mortem report and the stick used by the applicant, seizure Panchanama of said stick. On perusal of the report and statements of witnesses, it is prima facie established that the applicant's overt act is very serious. He assaulted Suresh, who was unarmed, on his head and ribs, and his ribs were found to have suffered grievous injuries. Thus, there is strong and material evidence against the applicant. The applicant is booked for serious crime of murder and if he is released on bail, certainly he will pressurize the prosecution witnesses and tamper with the evidence. Further committing of similar nature of crime on his part cannot be ruled out. Considering all these aspects, the applicant is not entitled for bail even on the principle that the bail is rule and jail is exception. The application is therefore, deserves to be rejected. Hence, the following order.

O R D E R

Application is rejected.

(SANJAY A. DESHMUKH, J.)