



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 BAIL APPLICATION NO. 1650 OF 2025

Kiran Balasaheb Gavhane

VERSUS

The State of Maharashtra

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Advocate for Applicant : Mr. Dushing Sanjay B

APP for Respondents: Mr. S.B.Narwade

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 25th SEPTEMBER, 2025.

PER COURT :-

1. This is an application for granting regular bail under section 483 Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 502 of 2024 registered with M.I.D.C. police station, District Ahilyanagar, for the offences punishable under Sections 302, 143, 147, 148, 149, 201, 504, 506 of the I.P.C.

2. The informant is wife of the deceased. She was on video call with the deceased. The applicant and other co-accused were having weapons in their hands in the night of 4.6.2024, which could be seen by her over the video call. At that time, it is alleged that the applicant and other co-accused chased the husband of the informant and assaulted him and committed his murder. Therefore, report is lodged.

3. Learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. There is no such evidence against him. The applicant has roots in the society. He will not flee away from the trial. The trial will take a long period. Learned advocate for the applicant pointed out the order passed by this Court in bail application No. 2069 of 2024 dated 6.3.2025, whereby this Court has granted bail to the co-accused. He therefore, prayed for grant of bail to the applicant on the ground of parity.

4. The learned A.P.P. for the respondent-State has strongly opposed the present application, drawing the attention of the Court to the fact that the applicant has three criminal antecedents. He submitted that the applicant is involved in serious offences and, therefore, does not deserve the discretionary relief sought. It was further submitted that the principle of parity cannot be invoked in the applicant's case, as the circumstances surrounding his involvement are distinct and graver in nature. It is lastly prayed to reject the application.

5. Perused the charge sheet, particularly the report, statements of witnesses and post mortem report. On perusal of the report and the statements of witnesses, it appears that test identification parade of the applicant and co-accused is not conducted. The charge sheet

is filed. The applicant has roots in the society. Considering that similarly situated co-accused Sonya @ Gautam Bhagwan Ambhore is released on bail, the applicant is also entitled for bail on the principle of parity. The application therefore, deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 0502 of 2024 registered with M.I.D.C. police station, Ahmednagar be released on bail on furnishing personal bond of Rs.15,000/- 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.
 - b) The applicant shall not enter the vicinity where the informant and his family members reside, till conclusion of the trial.
 - c) The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of the trial.

(SANJAY A. DESHMUKH, J.)