

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3070 OF 2025
IN BA/1994/2024

Marotrao Nagorao Shinde

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Jadhwar Sidhesh V.

APP for Respondent/State : Mr. R.D. Raut

Advocate for Assist to PP : Mr. A.V. Indrale Patil

WITH

CRIMINAL APPLICATION NO. 3412 OF 2025
IN APPLN/3070/2025

...

CORAM : MEHROZ K. PATHAN, J.

DATED : NOVEMBER 28, 2025

PER COURT :

1. The applicant has approached this Court seeking relaxation of condition "not to enter into the jurisdiction of Manatha Police Station, till conclusion of the trial" as imposed by this Court vide order dated 20.12.2024 passed in Bail Application No.1994 of 2024.

2. Perusal of the order dated 20.12.2024 would show that there are detailed observations as to the role of the present applicant wherein this Court has observed that it would be difficult to prove the charges of conspiracy as against the applicant Marotrao Nagorao Shinde. This Court as regards the role of present applicant was pleased to observe as under :

“Similarly, absence of applicant Marotrao and his wife for morning walk on date of incident is not sufficient to consider his involvement in crime. To do so, would be nothing more than speculation, which is impermissible in law.”

3. The allegations in the F.I.R. also does not point out any direct role of the applicant in commission of crime and that the applicant is charged for committing murder of deceased Uttamrao Shinde, who has succumbed to the injuries caused due to accident by some vehicle on the date of incident.

4. I have inquired from the learned APP about any criminal antecedents against the present applicant or any subsequent offence indulged into by the present applicant after his release on bail. The learned APP with the assistance of police officer of the concerned police station informs that the applicant is having only one other crime registered against him i.e. prior to the registration of present crime under Section 420 of the Indian Penal Code in Crime No.97 of 1998 and 98 of 1998. The learned APP, upon instructions, submits that there are several other offences registered against the family members of the accused/applicant and that there is every likelihood of the applicant again disturbing the law and order situation in the village.

6. Learned counsel for the informant also opposed the application on the ground that the condition was imposed by this

Court taking into consideration the law and order situation and the allegations against the applicant. Hence, the same may not be modified.

7. I have taken into consideration the aforesaid observations and also the fact that the applicant is not reported to be involved in any subsequent offence and that the applicant has not violated any condition. Hence, taking into consideration the advanced age of the applicant, who is having agricultural field in the village and also the fact that the trial would take its time to conclude, I am inclined to allow the present application by relaxing the condition. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The condition imposed by this Court vide order dated 20.12.2024 to stay away from jurisdiction of Manatha Police Station, till conclusion of the trial, is hereby modified.
- (iii) The applicant is however allowed to enter the jurisdiction of Manatha Police Station on a condition that, the applicant shall attend the concerned police station once in a week on every Saturday between 12.00 p.m. to 02.00 p.m., till conclusion of the trial.
- (iv) The application stands disposed of.

(4)

(v) Criminal Application No.3412 of 2025 filed for assisting the prosecution is allowed and disposed of.

(MEHROZ K. PATHAN, J.)