



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

944 BAIL APPLICATION NO. 1775 OF 2025

SANJAY HARIKISHAN SHELKE ALIAS SAINI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav.
APP for Respondent / State : Mr. R. S. Wani.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 01st October, 2025.

P.C.:

1 Heard.

2 This is an application for grant of regular bail in connection with Crime No.0581 of 2024, registered at Taluka Jalna Police Station, District Jalna, for the offences punishable under Sections 103(1), 189(2), 190, 191(2), 193(3), 115(2), 118(1), 352, 351(2) of the BNS.

3 The learned counsel for the applicant pointed out the report and submitted that applicant has assaulted deceased Hafeez by knife. He submitted that other co-accused are released on bail. While the incident was going on, this applicant tried to control the main accused, who were assaulting there. Out of them, co-accused Manoj Shelke, Rohit Bhalerao and Dayanand Shinde are released on bail. The learned counsel for the applicant further pointed out the report and

the statements of the wife of co-accused Sanjay Shelke. He submitted that the applicant has not participated in the crime with the weapon and there is no such material against him. He submitted that the charge-sheet has been filed and the custodial interrogation of the applicant is not necessary. Even the charge is not framed. The applicant has roots in the society and he will not flee away from the trial. The trial will take long period. It is lastly prayed to allow the application.

4 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime of murder, as his wife was found in the hotel with deceased Hafeez. He is seen in the CCTV footage armed with the weapon having blood stains, which is seized at the spot of incident. They submitted that in the serious crime of murder, if the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. They both submitted that the application cannot be allowed on the ground of parity, as the other co-accused are released on bail. It is lastly prayed to reject the application.

5 Perused the charge-sheet, particularly, the report and the statements of witnesses, as well as the transcript of the CCTV footage.

As per the transcript of the CCTV footage, the applicant is involved in the crime. As per the statement of witness Rani Shelke / wife of the applicant, the applicant is main accused. When the wife of the applicant was found with Hafeez, he assaulted him by knife in the heat of anger and grave and sudden provocation.

6 Considering all these aspects and that the applicant has roots in the society, he will not flee away from the trial, the trial will take long period and the applicant has no criminal antecedents as well as on the principle that bail is rule and jail is exception, the application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.0581 of 2024, registered at Taluka Jalna Police Station, District Jalna, for the offences punishable under Sections 103(1), 189(2), 190, 191(2), 193(3), 115(2), 118(1), 352, 351(2) of the BNS, 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, in any manner.
 - b) The applicant shall not tamper with the prosecution evidence, in any manner.

- c) The applicant shall not enter into Jalna Town, till the conclusion of trial, except on the dates fixed by the Trial Court for attending the trial.

[SANJAY A. DESHMUKH, J.]

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