



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

947 BAIL APPLICATION NO. 1836 OF 2025

**TANAJI BALAJI LUNGARE
VERSUS
THE STATE OF MAHARASHTRA**

....

Mr. R. V. Dasalkar, Advocate for the Applicant
Mr. A. D. Wange, APP for Respondent – State
Mr. S. P. Deshmukh, Advocate for Assist to PP.

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 17.10.2025

PER COURT :-

1. This is an application for grant of regular bail.
2. The applicant is arrested in Crime No.285/2025 registered at Kandhar Police Station, District Nanded, for the offences punishable under Sections 109, 3(5), 85 of B.N.S. The learned advocate for the applicant pointed out the first information report in which it is averred that the applicant was doubting the character of the informant. Under the influence of liquor, the applicant quarreled with the informant as meal was not served to him within time. At that time, he thrown the meal on

her person and assaulted the informant. The applicant tried to commit murder of the informant by tying rope around her neck. At that time her daughter took bite to the hand of the applicant and rescued the informant. The informant immediately ran away from the house. Thereafter, report was lodged and the applicant was arrested.

3. The learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. Practical investigation is over. Trial will take long period. Applicant has roots in the society. He will not flee away.

4. The learned advocate for the applicant further submitted that the applicant is the breadwinner of his family and that his family is suffering hardship because he is behind bars. Therefore, he requested that bail be granted

5. The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious offence. He is mentally ill. He had committed attempt to commit murder of his wife. It is therefore prayed to reject the application.

6. Perused the charge-sheet and order passed by this Court 06.10.2025 in this application, by which the jail authority was directed to send the applicant for medical examination through a psychiatrist. Accordingly, the report of Psychiatrist is received today, in which the psychiatrist has concluded that applicant is suffering from mental illness, which is marked as "X-1".

7. From the report of psychiatrist it is crystal clear that the applicant is suffering from mental illness as he was addicted with the liquor. In the Mental Healthcare Act, 2017, Section 2 (1)(s), in which the essential element is that the mental condition associated with the abuse of alcohol and drugs.

8. The applicant requires further medical treatment as per the report of the psychiatrist department of the Government Hospital, Nanded dated 13.10.2025 "X-1".

9. Considering all these reasons, if the applicant is released on bail, certainly there is possibility of commission of same nature of the crime. He may pressurize the prosecution witness.

10. Considering all these aspects, the application deserves to be rejected with direction for continuous treatment to the applicant through the Government rehabilitation center till his full recovery.

11. The Superintendent of Jail, Nanded is directed to provide medical treatment to the applicant in rehabilitation center for mental illness till he is fully recovered. For that purpose, he may be admitted there as per advice of the doctor. The Superintendent of Police, Nanded, is directed to provide escort to the applicant during the treatment. The Superintendent of Jail is directed to communicate to the trial Court about the status of health of the applicant.

12. The Bail Application is dismissed.

[SANJAY A. DESHMUKH, J.]

SMS