



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

BAIL APPLICATION NO. 1855 OF 2025

AMOL UDDHAV LANDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Pralhad C. Bhagure
APP for Respondent : Mr. S. G. Sangale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 23-12-2025

PER COURT:-

1. This is an application seeking regular bail in connection with FIR/Crime No.185 of 2025 registered with Ambad Police Station, District Jalna, for the offences punishable under Sections 103(1), 118(1), 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. Perused the first information report and police papers.
3. The prosecution case is that the informant, his family and accused are brotherhood to each other. They have agricultural land. There was a dispute between them on account of land. It is alleged in the report that on 12.04.2025 at about 5.00 p.m. wife of the informant gone to bring water from hand pump near to her house. At that time, the applicant was there with his bullock for watering. When the wife of the informant was filling water from handpump, applicant loose bullock on her person. When she asked explanation for the act, the applicant started quarrel. Thereafter, the applicant along with other co-accused come at the

house of informant and started abusing the informant's wife and father. At that time, the applicant assaulted the father of the informant on his head by iron pinch (instrument of uprooting cotton). Co-accused Uddhav assaulted on the stomach and left hand of the injured. The injured was shouting. The co-accused also assaulted the wife of the informant by fist and legs blow and stick and also instigated to beat them. The applicant threatened the witnesses for not lodging report. The injured admitted in the hospital. Upon examination, the Doctor declared the death of the deceased.

4. Learned counsel for the applicant submits that the applicant is falsely implicated in the alleged crime. There is considerable delay in recoding of the statement of sole witness, namely, Sharda by the Investigating agency. It is submitted that co-accused Uddhav Lande is released on bail by the trial Court. As such, the applicant having identical role, is entitled bail for parity. Hence, prayed to release the applicant on bail.

5. Learned A.P.P. opposed the application and submitting that the role of present applicant is distinguished as that of the co-accused released on bail. The applicant had hit the deceased on the head by iron pinch, due to which he succumbed to death. Thus, the applicant is the main accused of the crime and provisions of Section 103 of the BNS are attracted against him. As such, the applicant is not entitled to parity and prayed to reject

the application.

6. Having heard the submissions of both the sides and upon perusal of material on record including chargesheet, indicates that the offences are serious in nature. The record further indicates that the applicant had assaulted the deceased on vital part i.e. head with iron pinch, resultantly, the deceased succumbed to death due to the alleged act and the same is witnessed by the eyewitness. As such, the applicant is, *prima facie*, involved in causing the death of the deceased.

7. As far as the co-accused is concerned, the role attributed to is distinct from that of the role of the present applicant. The only allegation against co-accused is that of inflicting blow on the stomach of the deceased. However, no such injury was evident on record as noted by the trial Court. On contrary, the alleged act of the present applicant has resulted into the death of the deceased. As such, the applicant having distinguishable role, is not entitled for parity.

8. In the light of aforesaid discussion and considering the gravity of the offence coupled with the material on record showing complicity of the applicant, I am not inclined to exercise the discretion in favour of the applicant.

9. According, the criminal bail application is rejected.

[SACHIN S. DESHMUKH, J.]

rrd