



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

BAIL APPLICATION NO. 1879 OF 2025

Popat Alias Pappu Bhikaji Khandagale
VERSUS
The State Of Maharashtra

...

Mr. Pawar Satyajit Balasaheb, Advocate for Applicant
Mr. N. B. Patil, APP for Respondent/State

CORAM : SANJAY A. DESHMUKH, J.

DATE : 15th October, 2025.

P.C.:

1. Heard learned advocates for the respective parties.
2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.496 of 2024, registered at Sonai Police Station, District Ahilyanagar, for the offences punishable under Sections 352 and 103(1) of the Bharatiya Nyaya Sanhita, 2023.
3. The learned advocate for the applicant pointed out the report in which it is averred that on 16.12.2024, at about 06:30 a.m., the informant's father went to their groundnut's farm to start the motor pump, while his mother went to the field for household work. Around 06:45 a.m., while the informant was tying the cattle, his uncle Shivaji Khandagale shouted and called him to come near the groundnut's farm. When the informant went there, he saw that his father was lying on the ground and his mother was standing nearby and

crying loudly. When the informant reached near his father, he noticed a bleeding injury at the back side of his head. The informant's uncle then informed him that Popat alias Papu Khandagale had assaulted his father on the head with an iron pipe and therefore, he had become unconscious. He was later taken to the hospital, where the doctor declared him dead. Thereafter, the report was lodged.

4. The learned advocate for the applicant submitted that the applicant is falsely implicated in the crime due to the earlier enmity. The applicant has roots in the society and he will not flee away from the trial. The applicant has no criminal antecedents. The charge sheet has been filed and further custody of the applicant is not necessary. The trial will take a long period. It is lastly prayed to grant bail to the applicant.

5. The learned APP for the State strongly opposed the application and pointed out the report and submitted that the applicant had committed the murder of the informant's father in the day light with an iron pipe. It was a preplanned murder. There is strong evidence of eye-witness against the applicant. If the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

6. Perused the charge-sheet, particularly the statements of eye-witnesses and post mortem report. On account of earlier enmity, due to the boundary

dispute of the agricultural land, the applicant assaulted the informant's father with an iron pipe. There is evidence of eye-witness against the applicant. If the applicant is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. In such circumstances, the application deserves to be rejected as no case is made out to grant bail to the applicant on the principle that bail is rule and jail is the exception. The application is rejected.

[SANJAY A. DESHMUKH, J.]