



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1888 OF 2025

SURESH VITTHAL YADAV
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent-State : Mr. S. N. Morampalle
Advocate for Applicant in Cri.A. : Mr. V. S. Kadam (Assit to APP)

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WITH
CRIMINAL APPLICATION NO. 3930 OF 2025
IN BA/1888/2025

CORAM : SACHIN S. DESHMUKH, J.
Date : 9th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 29.08.2024 bearing Crime No. 847 of 2024 registered with Shrirampur City Police Station for the offences punishable under Sections 103(2), 109, 118(1), 189(2), 191, 190, 352, 351(2) of Bhartiya Nyaya Sanhita, 2023.

2. The prosecution case is that the first information report was registered with an assertion that the informant's son and daughter of applicant had eloped and formally registered their

marriage in Nashik. Hence, the informant lodged a missing report. After realizing the fact of the marriage on 18.08.2024, the present applicant, along with family members. Thereafter, on 26.08.2024, the Police Authority handed over the custody of the daughter to the informant.

3. The incident, 28.08.2024, at about 3:00 pm, the informant's husband, namely Hareram Kadu, proceeded to Yadav Mala (field) to collect documents. At the relevant time, the accused persons, including the present applicant, reached there. Annoyed over the registered marriage of the informant's son with the applicant's daughter, they tied the informant's husband with a rope and mercilessly assaulted him with a belt. The complainant's husband reported the incident of the assault via a phone call. The informant's husband was admitted to the hospital and eventually succumbed to his injuries.

4. In connection with the same, the arrest of the applicant was effected on 13.09.2025.

5. The learned counsel for the applicants submits that there is a substantial variance in the timings and narration of the

alleged incident in the statements recorded by the Investigating Officer. There is no incriminating material on record to connect the applicants with the alleged commission of the crime. It is further submitted that the applicant is entitled to bail on the ground of parity, to the other accused persons by this Court in Bail Application No. 286 of 2025.

6. The learned APP submits that the incident is serious in nature, that the involvement of the applicant is apparent, and that there is sufficient material on record to indicate the applicant's complicity in the incident. As such, it is prayed that the application be rejected.

7. Having heard the learned counsel for the applicant and the learned APP for the State, it is prima facie evident that the general allegations are made against the present applicant. Nevertheless, there is an absence of a specific role alleged against the present applicant. The complainant initially narrated the alleged incident as occurring at about 3:00 pm, whereas in a supplementary statement, the same is said to have occurred at a later point in time.

8. A perusal of the record prima facie indicates that after the alleged assault by rope and belt, the death took place after a gap of seven days. The cause of death is reported to be a head injury due to a hard and blunt object and even the ground of parity warrants consideration.

9. The investigation has been completed, and the charge sheet has also been filed. Nothing further remains to be recovered at the present applicant's instance. Thus, keeping in view the peculiar facts and circumstances of the case, the applicant's right to liberty needs to be upheld by imposing stringent conditions.

10. In that view of the matter, the applicant deserves to be released on bail. Accordingly, following order :-

ORDER

(I) Application is **allowed**.

(II) Applicant – Suresh Vitthal Yadav be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 847 of 2024 registered with Shrirampur City Police Station for the offences punishable under Sections 103(2), 109, 118(1), 189(2), 191, 190, 352, 351(2) of Bhartiya Nyaya Sanhita, 2023, on the

following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (IV) Pending Criminal Application, if any, also stands disposed of.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi