



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

973 BAIL APPLICATION NO. 1915 OF 2025

SHAHADEO ASHRUBA VAIBHASE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Ankush Nivrutti Nagargoje.
APP for Respondent / State : Mr. K. K. Naik.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 15th October, 2025.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C."), for grant of regular bail in connection with Crime No.416 of 2019, registered with Kaij Police Station, District Beed, for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 1860 (for short, "the IPC").

3 The learned counsel for the applicant pointed that the applicant was released on bail by this Court, however, he remained absent for trial. He further pointed out that the applicant was absent because he was following the medical treatment of his parents. 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 booked for serious crime. The applicant has five antecedents and he remained absent without any justification. Though it is averred in the application that he was following the medical treatment of his parents, no any document is produced on record. It is lastly prayed to reject the application.

5 Perused the application and the order passed by the Trial Court. Though the Trial Court is correct while passing the order, the applicant is entitled for bail on certain conditions, on the principle that bail is rule and jail is exception. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.416 of 2019, registered with Kaij Police Station, District Beed, for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 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 and shall not tamper with the prosecution evidence, in any manner.

- b) The applicant shall not remain absent for trial, till conclusion of trial. If he remains absent for trial, the Trial Court may cancel his bail and take him into custody.
- c) If any other offence is committed by the applicant and an application is received by the Trial Court, the Trial Court may also cancel the bail of the applicant, though the bail is granted by this Court.

[SANJAY A. DESHMUKH, J.]

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