



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1950 OF 2025

SATISH POPATRAO JAGTAP
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Mahesh S. Bhosale
APP for Respondent-State : Ms. R. R. Tandale

CORAM : SACHIN S. DESHMUKH, J.

Date : 18th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 08.03.2025 bearing Crime No. 25 of 2025 registered with Ambi Police Station, Dist. Dharashiv for the offences punishable under Sections 103(1), 109, 238, 118(2), 115(1), 189(2), 190, 191(2), 193(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that on 03.03.2025, while traveling to Pathrud, Babasaheb Mahadev Giri received a frantic call from his son, Mauli, claiming that six to seven accused were mercilessly assaulting him with an iron rod. Shortly after the call, phone went switched off, prompting the informant to alert his

family and friends to search for his son in Pandharewadi. Later that afternoon, the Police Patil of Kalewadi informed the informant that Mauli had been found abandoned and incapacitated on the road near Kokne locality. Mauli was initially admitted to Samarth Hospital in Jamkhed with severe bleeding injuries to his back and legs. Due to his deteriorating condition, he was subsequently shifted to Ashvini Hospital in Solapur for specialized treatment..

3. Thereafter, the FIR came to be lodged at Ambi police station on 08.03.2025 about the said incident on the basis of which Crime No. 25/2025 for the offences punishable under section 118(2), 189(2), 191 (2), 193 (2) and 190 of BNS. Subsequently, offense under Section 109 of BNS was added. The investigation started. However, on 16.03.2025, Mauli succumbed to the injuries and, therefore, the offence under Section 103(1) of BNS is added.

4. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offense, emphasizing the absence of any independent eyewitness to establish his complicity. It is further contended that the FIR was an afterthought, registered after a delay of five days. The learned counsel also submits that a co-accused in this crime has already

been enlarged on bail by this Court; therefore, on the grounds of parity, it is prayed that the application be allowed.

5. The learned APP opposed the application, submitting that the applicant mercilessly beat the deceased, who subsequently succumbed to his injuries. It is contended that the offense is serious in nature and that there is sufficient material on record to establish the applicant's complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offense being repeated. Accordingly, it was prayed that the application be rejected.

6. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, it prima facie appears that the alleged weapon and other articles connected with the crime have already been recovered by the Investigating agency. The investigation of the case is complete and the charge-sheet has been filed. As such, nothing further remains to be recovered from the instance of the present applicants.

7. Furthermore, the co-accused, Vijay Pandurang Patil,

has been enlarged on bail by this Court vide order dated 23.09.2025 (Coram: Sanjay A. Deshmukh, J). Since the applicant is placed on similar footing as the co-accused, is entitled to bail on the ground of parity.

8. The investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Satish Popatrao Jagtap 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 Crime No. 25 of 2025 registered with Ambi Police Station, Dist. Dharashiv

for the offences punishable under Sections 103(1), 109, 238, 118(2), 115(1), 189(2), 190, 191(2), 193(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicants shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicants 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) Breach of any of the conditions by the applicants would entail the cancellation of the 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.

(SACHIN S. DESHMUKH, J.)