



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

BAIL APPLICATION NO. 1796 OF 2025

NILESH DNYANESHWAR DESALE

VERSUS

THE STATE OF MAHARASHTRA

...

Ms. Sana Raees Khan a/w Mr. Kothari Pratik P., Advocate for Applicant

Mr. P. P. Dawalkar, APP for Respondent/state

Mr. S. S. Bora, Advocate to Assist the APP

WITH

CRIMINAL APPLICATION NO. 3841 OF 2025

IN BA/1796/2025

KIRAN SUBHASH PATIL

VERSUS

NILESH DNYANESHWAR DESALE AND ANOTHER

...

Mr. Bora Satyajit S., Advocate for Applicant

Ms. Sana Raees Khan a/w Mr. Kothari Pratik P., Advocate for respondent
No.1

Mr. P. P. Dawalkar, APP for Respondent/state

...

CORAM : SANJAY A. DESHMUKH, J.

Dated : October 15, 2025

P.C.:

CRIMINAL APPLICATION NO. 3841 OF 2025

IN BA/1796/2025

1. This is an application seeking permission to assist the APP during the course of hearing of Bail Application No.1796 of 2025. For the reasons stated in the application, the same is allowed in terms of prayer clause 'b' and disposed of.

BAIL APPLICATION NO. 1796 OF 2025

1. Heard.

2. This is an application for grant of regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.22 of 2023 registered at Kasoda Police Station, District Jalgaon, for the offences punishable under Sections 120(B), 302 and 34 of the Indian Penal Code, 1860 and Section 4 read with Section 25 of the Arms Act.

3. The informant averred in the report that there had been a quarrel between the applicant and the deceased, Sonu Devidas Patil, who was the cousin of the informant. The informant further averred that the applicant had threatened Sonu Patil to face consequences over a financial dispute. On 19.03.2023, at about 06:00 a.m., Sonu Patil went to the village Bhatkhande on his bullet motorcycle. At around 08.04 a.m., the informant received a phone call informing him that Sonu was being assaulted by unknown persons at the bank of the river Girna. The informant immediately went to the spot of the incident and found that Sonu lying injured there. Thereafter, Sonu was shifted to the Hospital, where he was declared dead. The report was lodged by the informant on the allegation that Nilesh had instructed someone to kill Sonu over their dispute.

4. The learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. The other co-accused have been released on bail. He further submitted that the applicant has roots in the society and he will not flee away from the trial. The trial will take a long period. He lastly prayed that bail may be granted to the applicant on the ground of parity.

5. The learned APP for the State strongly opposed the application and pointed out the role of the applicant that he is the main accused. There is strong material against him. He submitted that the applicant is involved in a serious crime. The learned APP lastly prayed to reject the application as there is a possibility of pressurizing the prosecution witnesses.

6. Perused the charge sheet, particularly the report, statements of witnesses and mobile tower location data. It is pointed out that the other co-accused have been released on bail by this Court in Bail Application No.128 of 2025 by order dated 06.03.2025, Bail Application No.1395 of 2024 by order dated 18.09.2024 and Bail Application No.960 of 2025 by order dated 20.09.2025. Therefore, without adverting to the merits of the case and considering the role of the applicant to be similar to that of the other co-accused who are granted bail, the applicant is also entitled for bail on the ground of parity. Hence, the following order:

::ORDER::

I. The application is allowed.

II. The applicant, in connection with Crime No.22 of 2023 registered at Kasoda Police Station, District Jalgaon, for the offences punishable under Sections 120(B), 302 and 34 of the Indian Penal Code, 1860 and Section 4 read with Section 25 of the Arms Act, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-

a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

b) The applicant shall not enter into entire Pachora Tahsil District Jalgaon for a period of one year from today, except the dates fixed for hearing of the Court cases at Pachora.

[SANJAY A. DESHMUKH, J.]