



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2040 OF 2025

ANIL EKNATH GUNJALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent : Mr. S. N. Morampalle
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 2 DECEMBER 2025

PER COURT :

1. The applicant has approached this Court seeking regular bail in connection with Crime No.334 of 2025 dated 20.05.2025 registered with Basmath City Police Station, Basmath, District – Hingoli, for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the applicant and learned APP for the State.

3. The prosecution case is that on 19.05.2025, one Om Mane had been to the house of the deceased. Both proceeded towards Basmath on motorcycle of the deceased. On the same day, at about 8.30 p.m. one Santosh informed the brother of the deceased (informant) about murder on the railway bridge at Basmath. The

informant along with Santosh went at the spot and took the deceased to the Government Hospital, Basmath. The Doctor declared the brother of the informant as dead. The informant noticed the grievous injuries on the back side of the head of the deceased. Informant came to know that the deceased was along with the applicant Rama and Om. After the murder of the deceased, applicant along with Rama and Om fled away.

4. Learned counsel for the applicant submits that present applicant is behind bars since 20.05.2025. The investigation is completed and chargesheet was filed on 31.07.2025. The alleged incident has occurred at the spur of moment and there was no motive. The applicant has no criminal antecedents. The entire case is based upon circumstantial evidence. There are no eyewitnesses to the alleged incident. Therefore, it is prayed to allow the application and grant regular bail to applicant.

5. Learned APP opposed the application, submitting that the applicant is involved in serious offence and also invited attention of this Court to statements of the witnesses and prayed to reject the application.

6. Considering the fact that the discord appears to have occurred on account of missing mobile and has resulted into scuffle between the deceased and the accused persons. In the process, the

deceased was assaulted which caused death of the deceased. Thus, it is evident that there was no premeditation and the incident appears to have been occurred in spur of the moment. Thus, in absence of intent to cause death, the applicant is entitled for bail.

7. It is clarified that the observations made herein are only for the purpose of deciding the present bail application and nothing stated in the order shall be considered as an expression on the merits of case.

8. Resultantly, the following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant 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.334 of 2025 dated 20.05.2025 registered with Basmat City Police Station, Basmath, District – Hingoli, for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court without fail 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.

**(SACHIN S. DESHMUKH),
JUDGE**

arp/-