



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 BAIL APPLICATION NO. 2067 OF 2025

1] NARAYAN S/O. WAMAN KHANSOLE
2] ARJUN S/O ANANDA JADHAV
VERSUS
THE STATE OF MAHARASHTRA

**AND
BAIL APPLICATION NO. 2070 OF 2025**

1] GURPREETSINGH S/O. SENDHASINGH
2] BHARAT S/O. SHIVANAND PANCHLINGE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant in both applications : Mr. Mukul Kulkarni
i/b Mr. B.N. Gadegaonkar
APP for the respondent – State : Ms. D.S. Jape
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 19 DECEMBER 2025

PER COURT :

The applicants have approached this Court seeking regular bail in connection with FIR bearing Crime No. 114 of 2025 dated 27.06.2025 registered with Mudkhed Police Station, District - Nanded for the offences punishable under section 103(1), 109(1), 118(1), 115(2), 189(2), 190, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that on 21.06.2025, the informant met his friend Jogindersingh. At around, 12:00 pm, when the informant was with his friend at a crusher, while picking up the junk, certain persons approached and started beating them with wooden and iron rods, assuming them as thieves. In the process, both the informant and his friend suffered several injuries and were subsequently admitted to the hospital, where the friend succumbed to injuries. Hence, the report is lodged.

3. Mr. Kulkarni, learned counsel for the applicants submits that the incident is dated 21.06.2025. Immediately after the alleged incident, the persons who sustained injuries were taken to the hospital instantly since the Police van reached at the spot and both the complainant as well as the deceased were taken to the hospital, however, on account of death of deceased Jogendersingh Tak, the FIR is registered. Presence of the applicants was on account of the fact that the land of the applicants is situated adjoining the crushing unit. In fact, it was the applicants who reported the incident to the Police. The applicants have not committed any offence as alleged. Registration of the FIR itself is after the death of one of the victim.

4. He further submitted that the material on record i.e. the statements in the chargesheet do not support the case of the prosecution. The statements implicating the present applicants are

recorded at a belated stage i.e. on 19.08.2025. The applicants were arrested in absence of any material to that effect. False implication is apparent, since after the alleged incident dated 21.06.2025, for the first time, the statements are recorded on 19.08.2025. Even in the test identification parade, the applicants are not identified. As such, requested to consider the request of the applicants for grant of bail.

5. Learned APP opposed the application, submitting that the applicants are involved in the offence which has resulted into death and which is the cause of severe assaults inflicted by the present applicants and their presence at the spot is also undisputed.

6. Having heard the respective sides, perused the record, including the chargesheet, the alleged incident is dated 21.06.2025. It is after the death of the victim on 27.06.2025, the FIR is registered against the unidentified persons whereas the arrest of the applicants is effected on 28.06.2025. Even the supplementary statements those are recorded are at belated stage. *Prima facie*, at this stage, there is no material on record to indicate the complicity of the present applicants. Even statements under section 183 of the BNS also *prima facie* does not indicate or attribute any role of the applicants.

7. The investigation is complete for all intent and purpose. Resultantly, chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution propose 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.

8. Resultantly, the following order is passed :-

ORDER

(I) Applications are allowed.

II) Applicants – Narayan S/o Waman Khansole, Arjun S/o Ananda Jadhav, Gurpreetsingh S/o. Sendhasingh and Bharat S/o. Shivanand Panchlinge, be released on regular bail upon their furnishing P.R. bonds in the sum of Rs.50,000/- (Fifty Thousand only) each with one or two local solvent sureties each in the like amount, in connection with Crime No. 114 of 2025 dated 27.06.2025 registered with Mudkhed Police Station, District - Nanded for the offences punishable under section 103(1), 109(1), 118(1), 115(2), 189(2), 190, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) After their release from jail, the applicants shall report to the Investigating Officer as and when called for in writing.
- (b) The applicants shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.

- (c) Applicants shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicants shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (e) The applicants shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (f) Before their actual release from jail, the applicants shall furnish their addresses where they propose to reside after their release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

9. Needless to state that the observations rendered herein-above are to the extent of consideration of the present bail applications and trial Judge may not get influenced by these observations and shall consider the case on the basis of evidence on record and in accordance with law.

[SACHIN S. DESHMUKH]
JUDGE

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