



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

BAIL APPLICATION NO.2154 OF 2024

Ritesh S/o Dilip Mane  
Age 23 years, Occu.: Labour,  
R/o. Nr. Water Tank, Chouphala,  
Tq. and Dist. Nanded.

... Applicants

Versus

The State of Maharashtra

... Respondent

.....  
Mr. Abhaysinh K. Bhosle, Advocate for Applicant  
Mr. N.D. Bature, APP for Respondent – State  
.....

**CORAM : ABHAY S. WAGHWASE, J.**

**RESERVED ON : 08 JANUARY 2025**

**PRONOUNCED ON : 10 JANUARY 2025**

**ORDER :**

1. Instant application is for regular bail on account of registration of Crime No.475/2023 registered at Vazirabad Police Station, District Nanded for offence punishable under Section 302 read with Section 34 of the Indian Penal Code (IPC) and rejection of bail application by the learned Additional Sessions Judge-3, Nanded dated 14.10.2024.

2. Learned counsel for applicant pointed out that applicant is arrested in above crime on 30.10.2023. That, there are allegations of hitting by means of stone. That, the stone is already recovered. That, it is alleged

that the incident was on account of refusal to comply demand of money for liquor. That, deceased suffered injuries, but died later on. That, Applicant is behind the bars since long, and now investigation is over. Learned counsel pointed out that, nothing is to be recovered or discovered from applicant. Therefore, he urged to grant regular bail.

3. Opposing the bail application, learned APP pointed out that informant is brother of deceased and eye witness, and in his presence, present applicant and his friend/accused no.2, both came on motorcycle and demanded money from deceased and on refusal, initially, deceased was given thrash and subsequently present applicant lifted stone and hit it on the head and other body parts of deceased. That, deceased died due to homicidal injuries. That, there is direct eye witness account. Learned APP pointed out that there are three witnesses, who were passer-by on the road and they have narrated and reiterated the incident as informed by informant brother. That present applicant is habitual and as much as eight crimes stated to be registered against him. For all above reasons, learned APP prays to dismiss the application.

4. Heard both the sides. Perused FIR dated 30.10.2023 at the instance of Narsing Manda, who reported Vazirabad Police Station that on 30.10.2023 at around 8.30 a.m., when he and deceased Raju were sitting on the ground behind the School, present applicant and his friend Lakhan

arrived on their motorcycle. Informant claims that they both demanded money from Raju for consuming liquor. On refusal to comply the demand, applicant and his friend assaulted deceased by means of fist and kick blows. Informant has stated that when his brother Raju fell down, thereafter, present applicant picked and used a stone to hit deceased. Informant as well as persons present around, namely Balram Chintamani and Ganesh shouted. It is alleged that present applicant, initially pushed informant and saying that deceased should be done to death, hit stone on the head of deceased. Thereafter, both accused fled on motorcycle. On above information, crime was registered for offence punishable under Section 302 read with Section 34 of the IPC on the same day as brother of informant Raju was reported to be dead.

5. Considering the above material and submission that present applicant is history-sheeter having eight crimes under his belt, this court is also not inclined to grant relief as prayed. Hence, the following order :

**ORDER**

The application is rejected.

**ABHAY S. WAGHWASE,  
JUDGE**