



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

BAIL APPLICATION NO. 2269 OF 2025

SURYAKANT BABURAO BARVE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondents : Mr. D. S. Jape
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 15-12-2025

PER COURT:-

1. The applicant is seeking regular bail in relation to Crime No.174 of 2025 registered with Sonpeth Police Station, Taluka Sonpeth, District Parbhani, dated 11.06.2025, for the offences punishable under Sections 103(1), 49, 351(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023. In the said crime, the applicant is arrested on 12.06.2025 and after completion of the investigation, the chargesheet is filed on 26.08.2025.

2. The informant and the accused are relatives having dispute in relation to ancestral properties. Eventually, a mediation was conducted and settlement was arrived. It is, thereafter, allegedly that the accused took the deceased to the farm and killed him. Hence, the informant lodged first information report.

3. Learned counsel for the applicant submits that deceased cousin Mahaveer Sot was cultivating land of his mother as well as his maternal aunt. Informant's maternal uncles and their children used to quarrel with Mahaveer and would extend threat to kill him. On 10.06.2025, accused held a meeting at Mahaveer's residence to amicably settle a dispute. After the meeting, co-accused Samadhan and Datta took Mahaveer to the agricultural field and informant came to know from his mother and brother in law that Mahaveer was murdered by Samadhan and Datta in the agricultural field. Hence, the first information report is filed.

4. It is further submitted that there is no specific role attributed to the applicant. The applicant is not seen in the CCTV footage. In the process, learned counsel for the applicant has placed on record the order of this Court, in Criminal Bail Application No.1987 of 2025, dated 04.12.2025, submitting that the other co-accused No.7 is released on bail. As such, the applicant may be granted bail on the ground of parity. Hence, prayed to allow the application.

5. Per contra, the learned A.P.P. submits that on the previous occasion, the deceased had received the threats at the instance of the accused persons, which establishes the motive on the part of the present applicant/accused No.3 and other accused persons.

Thus, there is complicity of the applicant in the alleged crime. Hence, prayed that the applicant may not be released on bail.

6. Upon considering the submissions of both sides and perusal of the material including the cahrgesheet placed on record, indicates that there is a dispute between the informant and the applicant. The alleged offence appears to have occurred due to a civil dispute. Perusal of the statement of the mother of the deceased, *prima facie*, indicates that accused No.1 Samadhan and No.2 Datta had taken the deceased to the field. As such, apparently it is the case of over implication, which entitles the applicant to claim bail.

7. Considering the fact that the investigation is complete and the chargesheet has been filed, no fruitful purpose would be served by keeping the applicant behind bars indefinitely. Furthermore, as other co-accused have been released on bail, the applicant also deserves to be released on bail on the ground of parity by imposing stringent conditions.

8. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant Suryakant Baburao Barve be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety

of the like amount, in Crime No.174 of 2025 registered with Sonpeth Police Station, Taluka Sonpeth, District Parbhani, dated 11.06.2025, for the offences punishable under Sections 103(1), 49, 351(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 on the conditions that,

- (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (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.
- (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]
JUDGE