IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 BAIL APPLICATION NO. 1541 OF 2026

Darkuba Balaji Bhaule
VERSUS
The State Of Maharashtra
...
Mr. Surse Sunil B a/w Mr. Jitendra Shantilal Jain, Advocate for Applicant
Mr. D. J. Patil, APP for the Respondent-State

CORAM : HITEN S. VENEGAVKAR, J.
Dated : 28th October, 2026

PER COURT :-

1. By the present application, the applicant is seeking his release on regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with his arrest in Crime No. 70 of 2026 registered with Karmad Police Station, District Chhatrapati Sambhajinagar Rural for the offences punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution story, in brief, is that the informant who is son of the deceased, received information about the death of his mother in the agricultural field. When the informant reached to the spot, he found his mother lying in pool of blood which oozing out of the head. There was blood stained stone lying near her body. She was immediately carried to the Government Hospital, where the Doctor declared her as dead. The first information report then came to be registered against the unknown person. During investigation, it was

revealed that the applicant is responsible for the cause of death of the deceased and therefore, he came to be arrested. Investigation is complete and charge-sheet is filed.

3. The learned Advocate appearing for the applicant submits that initially the FIR was registered against the unknown persons. The applicant is falsely implicated in the alleged offence. He submits that this is not a case of direct evidence but the circumstantial evidence is relied upon by the prosecution while arraigning the present applicant as an accused. According to him, the chain of circumstance does not complete. It is not the case of the prosecution that the applicant and deceased were last seen together. There is absolutely nothing on record to even remotely connect the applicant with the alleged offence. He submits that when the applicant is in custody since February, 2026. He submits that on the basis of material available on record, the further custody is unwarranted and the applicant be released on bail.

4. The learned APP submits that the present applicant had quarrel with the deceased few days before the alleged incident. He submits that the applicant was engaged to graze sheep and therefore, every day, he used to visit the said area where the agricultural field was located. He submits that statement of the owner of the ship is recorded, who has supported the prosecution theory. She further submits that during investigation, blood stained clothes were recovered at the instance of the present applicant. The blood stained clothes were found under the staircase in a sealed condition, the place of which was

within the specific knowledge of the present applicant. Thus, there is material available prima facie to indicate that present applicant is involved in the murder of the deceased. He submits that though there are no criminal antecedents, the applicant does not deserve to be released and the bail application be rejected.

5. I have perused the entire charge-sheet and considered the arguments advanced on behalf of both the sides.

6. It is a matter of record that there is no direct evidence available in connection with the implication of the present applicant in the murder of the deceased. The only circumstance that is available on record is the recovery of blood stained clothes at the instance of the present applicant, as the blood stained clothes have been recovered from the staircase situated in front of the house of the applicant. That place cannot be said to be within the control of the present applicant but seems to be a place which is easily accessible to every one. On the very recovery of clothes though with blood stains, there is absolutely nothing on record to connect the present applicant with the alleged offence.

7. Taking into consideration the fact that the investigation is complete and the charge-sheet has already been filed, that charges have not yet been framed, and that the applicant has been in custody since February 2026, and upon taking a holistic view of the aforesaid observations, I am of the opinion that the applicant can be released on

bail. Hence, the following order:

ORDER

(i) Bail Application No.1541 of 2026 is allowed.

(ii) Applicant Darkuba Balaji Bhaule shall be released on bail in connection with Crime No. 70 of 2026 registered with Karmad Police Station, District Chhatrapati Sambhajinagar Rural for the offences punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023, on executing P.R. Bond of Rs.50,000/- each with one or two solvent sureties in the like amount.

(iii)) The Applicant shall attend the concerned police station on 1st Monday of every month between 11.00 a.m. and 02.00 p.m. for a period of six months from the date of his release and thereafter, as and when the Investigating Officer directs the Applicant to attend the Police station.

(iv) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(HITEN S. VENEGAVKAR, J.)

JPChavan