IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1586 OF 2026

BHILA LOTAN MALI
VERSUS
THE STATE OF MAHARASHTRA

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Advocates for the Applicant : Mr. Sushil Pushpendra Pandit
APP for Respondent - State : Mr. S. D. Ghayal

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 04th NOVEMBER, 2026

ORDER :

1. By this application, the applicant seeks release on regular bail in connection with Crime No. 279 of 2026 registered with Shahada Police Station, District Nandurbar, for the offences punishable under Sections 103(1), 238 and 309(4) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He was arrested on 7th March, 2026. Investigation has been completed and the prosecution has filed the charge-sheet.

2. The prosecution states that Ranubai Dullabh Ishi, the mother of informant Krushna Khanderao Pawar, left her house at Kahatul on the morning of 8th February, 2026 and did not return.

Her son Suresh lodged a missing report on the following day. During the search, Bhagwan Vallabh More informed the family that he had seen Ranubai travelling with the applicant on his motorcycle towards Londhare. When questioned by the informant, the applicant stated that he had dropped her near the road leading to his field. On 3 March 2026, a decomposed body, covered with dry grass, was found near a well in the field of Chhotulal Somji Patil. The family identified the body from the clothes and ornaments remaining on it. An accidental death enquiry was registered, and the body was examined on 4th March, 2026. The examination disclosed ligature compression of the neck and a head injury. The informant thereafter lodged the report on 5th March, 2026.

3. The prosecution further states that the applicant took Ranubai towards the agricultural fields, killed her by compressing her neck with a rope and inflicting a stone injury on her head, and removed her ornaments after severing portions of both her upper limbs. The severed portions were thrown into a nearby well and the body was covered with grass to conceal the offence. The prosecution relies upon the witness who saw the deceased travelling with the applicant, the subsequent sale of ornaments by the applicant, the discoveries recorded during investigation and

the medical evidence. It also alleges a dispute concerning money and relies upon the applicant's conduct after Ranubai disappeared.

4. Learned Advocate for the applicant submits that nobody witnessed the incident and that the applicant has been arrested on suspicion. The FIR was registered against unknown persons and the informant had also expressed suspicion against Atmaram Vana Mali. It is submitted that the applicant's having given a lift to the deceased does not establish that he killed her, particularly when her body was found several weeks later. The applicant challenges the supplementary statements concerning the alleged monetary dispute and contends that the recoveries have been planted. It is further submitted that the prosecution relies on interested witnesses, that the delay in lodging the FIR is material, and that the circumstances do not establish the applicant's involvement. The applicant is approximately 65 years old, has no criminal antecedents and owns agricultural land. His sons are employed at Baroda and he has roots in society. Investigation is over, 41 witnesses are cited and the trial may take time. He offers to attend the trial, refrain from contacting witnesses, remain within Maharashtra unless permitted otherwise and comply with stringent conditions.

5. Learned APP submits that the material collected during investigation goes substantially beyond suspicion or the circumstance of the applicant and the deceased having travelled together. The medical findings, discovery of the severed upper limbs and other articles, and the jeweller's statement concerning the applicant's sale of ornaments must be considered together. The prosecution opposes release having regard to the nature of the offence, the applicant's alleged role and the apprehension of interference with witnesses. It submits that completion of investigation and absence of antecedents do not outweigh the material connecting the applicant with the offence.

6. The question at this stage is whether the material provides reasonable grounds for believing that the applicant was involved in the offence and whether, on an overall consideration, release on bail is justified.

7. Learned Advocate's submission that there is no eyewitness to the killing is correct in the limited sense that the prosecution relies upon circumstances to connect the applicant with it. That does not dispense with examination of those circumstances. Bhagwan Vallabh More's statement dated 5 March 2026 describes having seen deceased Ranubai boarding the

applicant's motorcycle at about 11 a.m. on 8th February, 2026 after saying that she would accompany him to collect fodder. This is a statement of what the witness himself saw. The informant's report also records that the applicant acknowledged having carried Ranubai on the motorcycle, though applicant stated that he had dropped her near the approach to his field. Thus, the prosecution's reliance on their travelling together is not introduced for the first time through the subsequent supplementary statements.

8. The post-mortem examination on 4th March, 2026, however, estimates the time since death at approximately three to four weeks. That estimate broadly corresponds with the period of disappearance. It does not fix the precise time of death, but it prevents the date of discovery from being treated as the date when death necessarily occurred. The report attributes death to ligature compression of the neck with head injury. It records a ligature mark, injury to the underlying neck tissues and a skull injury with fractures. These findings prima facie support the prosecution's allegation of homicidal death.

9. The material concerning the silver ornaments is an additional circumstance of significance. Prakash Shivdas Sonar in his statement states that the applicant, whom he knew as a customer for several years, came to his shop on 9th February, 2026

at about 11 a.m. and sold silver ornaments weighing 425 grams for Rs.55,000. According to this witness, the applicant represented that they were old ornaments of his mother and that he needed money. The witness subsequently produced the ornaments and a copy of the transaction receipt before the police. His statement concerns a transaction on the day immediately following Ranubai's disappearance. The ornaments produced consisted of two patlis, two gots and one bondkade, which the prosecution alleges were removed from her upper limbs.

10. Statement of Bhushan Amrut Chavhan's requires consideration. He describes weighing the ornaments when they were produced before the police and verifying that they were silver. He does not describe witnessing their purchase from the applicant. The circumstance connecting the applicant to the sale therefore arises from Prakash Sonar's statement and the transaction document; Bhushan's statement supports the description and weight of the articles seized. Their identification as the deceased's ornaments and the prosecution's explanation of how the applicant obtained them remain matters for proof. Nevertheless, the specific transaction attributed to the applicant cannot be discarded at this stage as a mere repetition of the family's suspicion.

11. The discovery panchnama records that, pursuant to information furnished by the applicant while in custody, the police party was led to the well from which two decomposed portions of upper limbs were recovered. It also records the production of a stone near the place of occurrence, a koyta from an agricultural field and clothes from the applicant's house. The post-mortem report had already recorded that portions of both upper limbs were missing. It describes the amputations as post-mortem injuries. The prosecution allegation must be considered consistently with that medical finding; the amputations cannot be treated as the cause of death. The discovery of severed upper limbs from the well nevertheless provides a circumstance bearing upon the applicant's alleged knowledge of their location and the removal and concealment of parts of the body.

12. The present assessment for purpose of bail rests on the recorded discoveries and the other material collected by the prosecution which points towards the applicant . The discovery witnesses and the investigating officer must establish the requisite facts at trial. The allegation that the recoveries were planted cannot presently displace the panchnama and the physical recoveries merely because the applicant disputes them.

13. The forensic papers record collection and forwarding of material and the taking of samples for examination. A seizure or a request for analysis is not itself a positive laboratory result, considered with the evidence of the journey and the sale transaction of ornaments, provides substantial prima facie material against the applicant.

14. Considered together, the material discloses a connected sequence, the deceased travelled with the applicant on the day she disappeared; the estimated period and cause of death are broadly consistent with the prosecution chronology; the applicant is specifically stated to have sold the silver articles on the following day; and the discovery proceedings record recovery of severed upper limbs and other articles pursuant to information furnished by him. There is therefore sufficient material, at the prima facie level required for deciding bail, to support the prosecution's chain of circumstances connecting the applicant with the offence. This is not a finding that every link has been proved beyond reasonable doubt. That burden remains throughout upon the prosecution and must be discharged at trial.

15. The applicant's age, absence of antecedents, residence,

agricultural holding and family circumstances have been considered. They are relevant considerations, but do not outweigh the nature and strength of the material in this case. The accusation concerns the killing of an elderly woman, removal of her ornaments and concealment of the body and severed limbs. Refusal of bail does not rest merely upon the punishment prescribed or the disturbing nature of the allegation. It rests upon the specific circumstances prima facie connecting this applicant to that allegation. Completion of investigation and period of custody since 7th March, 2026 and the citation of 41 witnesses, without more, do not establish such prolonged or indefinite detention as would presently outweigh those circumstances. The right to a speedy trial must, however, be protected by proceeding with the trial expeditiously. For the above reasons, the prayer for release on bail cannot be granted.

16. The application is dismissed and bail is rejected.

17. The Trial Court shall endeavour to proceed with Sessions Case No. 56 of 2026 expeditiously, avoiding unnecessary adjournments and secure the attendance of material witnesses in accordance with law.

18. All observations made herein are confined to the decision on bail. The Trial Court shall decide the case independently on the evidence adduced before it, without being influenced by these observations.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale