



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

BAIL APPLICATION NO.2256 OF 2024

Sagar s/o Ambadas Randive ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Mr. S.S. Gangakhedkar, Advocate for applicant
Ms R.R. Tandale, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 11th FEBRUARY, 2026

PER COURT :

1. The applicant seeks release on regular bail in connection with Crime No.0454/2023, registered with Shivajinagar Police Station, District Nanded for the offences punishable under Sections 302, 143, 147, 149, 120-B, 504, 506, 120-B of the Indian Penal Code and Sections 4/25 of the Arms Act.

2. Learned counsel for the applicant submits that, the supplementary statement of the informant raises a serious doubt because at one instance, states that the informant was not present

and at the other juncture, states that he left the Nagarjun Lodge and then the incident happened.

3. Learned APP has further pointed out that the accused were immediately arrested and the clothes wore by them at the time of the incident were recovered. It was the seizure panchanama under Section 165 of the Criminal Procedure Code. The learned APP vehemently argued that incriminating material has been recovered against the applicant.

4. The supplementary statement is pressed into service by the learned APP and vehemently argued that the first informant stated that the applicant was the assailant and considering involvement in serious offence, same disentitles the applicant to be admitted to bail.

5. Upon reading supplementary statement, prima facie does not reflects specific role attributed to the applicant, except watching the CCTV footage. The names of the applicants/accused were tutored. Another eyewitness which has been referred to by the learned APP was Manager. He was unaware of identity of the assailant. The identification of the accused were not confirmed from him by showing him the CCTV footage.

6. Upon hearing the learned counsel for the applicant and learned A.P.P. and perusal of the record indicates that, the recovery panchnama is prepared by the investigating officer of the place from where the recovered articles were seized in the Police Station Shivajinagar. The said panchnama is prima facie silent in relation to seizure of clothes as the place of seizure is shown as Police Station Shivajinagar. So, it raises a serious doubt about the recovery of the clothes wore by the deceased at the time of the incident. It also does not disclose that the clothes from the person of the accused were recovered and another clothes were provided to him.

7. Though the learned APP has strongly relied on the CCTV footage showing the active role attributed to the applicant. No transcription was immediately provided. The so-called CCTV footage is recovered and sent to the Forensic Department. In absence of forensic report, prima facie, it is difficult to believe that the applicant has played an active role.

8. Furthermore, the allegations does not show use of deadly weapons in the crime. There are no antecedents to the discredit of the applicant. The charge sheet is filed. Nothing is to be

recovered from the applicant. In view of number of witnesses cited by the prosecution, the trial is likely to take a considerable time.

9. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Sagar Ambadas Randive be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
- (iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)