



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1699 OF 2025

Salman Khan Rashid Khan Pathan

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....
Ms. A.A. Lomte, Advocate for applicant
Mr. C.V. Bhadane, A.P.P. for respondents
....

CORAM : RAJNISH R. VYAS, J.
DATE : 16th MARCH, 2026

PER COURT :

. Heard learned counsel for the applicant, so also learned A.P.P.

2. The applicant, who is arrested in Crime No. 112 of 2025 by Kinwat Police Station, Dist. Nanded for commission of offence punishable under Section 103(1) of the Bharatiya Nyay Sanhita, has approached this Court praying for grant of bail.

3. The F.I.R. No. 112 of 2025 dated 19th April, 2025 was lodged at the instance of one Raziyaabee /mother of the deceased. In short, it is the case of prosecution that on 18th April, 2025 his son / Sameer did not return home, and therefore, when she went in search of him, she found that her son / Sameer was lying in a pool of blood and accused / applicant was running

away from the spot. The injured was then taken to the hospital, where he died. The documents produced on record would reveal that there is no eye witness to the incident. Spot panchanama shows that from the spot, a stone of 35 kg. is recovered.

4. Pointing out the aforesaid evidence, learned counsel for the applicant submitted that since the applicant has no criminal antecedent and considering the fact that the charge-sheet is already filed, applicant be released on bail.

5. Per contra, learned A.P.P. submitted that offence committed is serious. Though there is no eye witness, case can be considered on the circumstantial evidence.

6. With the help of learned counsel for the respective parties, I have gone through the record of the case.

7. The incident had occurred on 18th April, 2025. It was the mother of the deceased, who lodged the report. Admittedly, it is not stated in the F.I.R. that the informant had seen the accused committing the offence. Even other witnesses are hearsay. Further, if statement of one witness / Sajid Khan / brother of accused is perused, it would reveal that he has deposed that the injured was lying in the pool of blood and he alongwith his friend has taken the injured in an auto-rickshaw to the hospital. Surprisingly, this witness /

Sajid Khan is silent about presence of the informant at the spot of incident. Considering the fact that the investigation of crime is already completed and the nature of evidence available, I am inclined to pass the following order :-

ORDER

- (I) Bail application is allowed.
- (II) The applicant be released on bail on furnishing solvent surety in the sum of Rs.25,000/- (Rupees Twenty Five Thousand), in connection with F.I.R. No. 112 of 2025 dated 19th April, 2025 registered with Kinwat Police Station, Dist. Nanded for commission of offence punishable under Section 103 (1) of the Bhartiya Nyay Sanhita.
- (III) The applicant shall not influence the witnesses and tamper the evidence.
- (IV) The applicant shall attend the Kinwat Police Station, Dist. Nanded every Wednesday between 02:00 noon to 03:00 noon, till completion of trial
- (V) The fees of Ms. Ashwini Lomte, learned counsel appointed to represent the applicant be quantified by the High Court Legal Services Sub-Committee, Aurangabad as per the rules.

(RAJNISH R. VYAS, J.)