



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

BAIL APPLICATION NO. 1913 OF 2025

RAJU PRAKASH BHOSALE  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Ms. Ankita Mantri  
(Appointed Through Legal Aid)  
APP for Respondent : Mr. P. P. Dawalkar  
...

**CORAM : SACHIN S. DESHMUKH, J.**  
**DATE : 10-02-2026**

**PER COURT:-**

1. The applicant seeks regular bail in connection with Crime No.211 of 2023 dated 29.04.2023 registered with MIDC CIDCO Chikalthana Police Station, District Chhatrapati Sambhajnagar, for the offences punishable under Sections 302 and 307 of the Indian Penal Code. In the said crime, the applicant was arrested on 29.04.2023. After completion of the investigation, the chargesheet is filed.

2. The prosecution case arises from a matrimonial dispute during which the applicant's wife resided at her parental home. On 28.04.2025 at approximately 7.40 p.m., a witness, Gajanan Bhosle, informed the complainant via mobile phone that the applicant had pushed his two sons into a well. Upon arriving at the scene, the complainant found the younger son, Shreyash, unconscious. He was immediately rushed to Ghati Hospital, where medical

authorities pronounced him dead. The prosecution alleges that the applicant, motivated by ongoing marital discord, had previously issued threats to kill his children. It is further alleged that he acted on these threats by pushing both sons into the well; while one son tragically drowned, the other was rescued by neighbors. Consequently, a First Information Report (FIR) was lodged against the applicant.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case based on mere suspicion. It is contended that the death of the child was a tragic accident; the deceased purportedly slipped and fell into the well, and his brother fell in while attempting to rescue him.

4. It is further submitted that there is no evidence on record to establish that the applicant threw his children into the well, nor has any specific overt act been attributed to him. Furthermore, although the prosecution relies on Shivam as the sole eyewitness, the applicant asserts that no credible evidence exists to connect him to the alleged crime. As the essential ingredients of the charged offense are not attracted in this instance, it is prayed that the applicant be released on bail.

5. The learned A.P.P. vehemently opposed the application, submitting that the MLC report confirms the deceased succumbed to drowning after being thrown into the well, and the prima facie evidence strongly indicates the applicant's direct involvement in

the crime. It is further contended that, given the grave and serious nature of the offence, there is a significant risk that the applicant may tamper with prosecution evidence or influence witnesses if released on bail. Consequently, prayed that the application be rejected.

6. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet indicates that the accusations against the applicant are *prima facie* of an exceptionally heinous nature, involving the alleged murder of his minor son and the attempted murder of another. The prosecution's case suggests that the applicant, motivated by matrimonial discord, intentionally pushed his own children into a well. The offence is punishable by life imprisonment or death, the severity of the crime and the heinousness of the act weigh heavily against the applicant's plea for release.

7. The existence of a direct eyewitness, Shivam, whose statement specifically implicates the applicant in the commission of the act. Further, the MLC report confirms the cause of death by drowning, and the immediate reports from neighbors reinforce the prosecution's theory of intentional harm.

8. At this stage, the material on record establishes a *prima facie* complicity that links the applicant to the crime, overriding the defense's theory of an accidental fall. There is a substantiated apprehension that the applicant, if released, may attempt to

tamper with prosecution evidence. Considering the domestic nature of the dispute, the key witnesses, including the surviving son and neighbors, are highly vulnerable to influence or intimidation by the applicant. To ensure a fair and impartial trial, it is imperative that the witnesses remain protected from any pressure that could lead to them turning hostile.

9. The present case involves a brutal killing of one's own progeny, the societal impact of granting liberty to applicant having overwhelming evidence against him ought to be considered. The safety of the surviving child and the collective conscience of the community necessitate the applicant's continued detention. Considering the totality of the circumstances, the potential for the applicant to flee from justice or obstruct the legal process is significant. Consequently, the application does not warrant favorable consideration.

10. The bail application stands rejected.

11. The Secretary, High Court Legal Services Sub-Committee, Aurangabad, to pay the fees to the appointed learned counsel appointed for respondent No. 2, as per rules.

12. Needless to state 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, J.]