



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1917 OF 2025

SURAJ ALIAS MAULI ANANDRAO BAPTE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondents-State : Mr. P. P. Dawalkar

CORAM : SACHIN S. DESHMUKH, J.

Date : 2nd February, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 28.08.2023 bearing Crime No. 450 of 2023 registered with Georai Police Station, Dist. Beed for the offences punishable under Sections 302, 120(b) read with Section 34 of the Indian Penal Code.

2. The case of the prosecution is that on 28.08.2023 approximately at 08:15 a.m., the body of a male person was discovered along Manyarwadi road in Georai Taluka. Following a spot panchnama conducted by the police, the deceased was identified as Manohar Vilas Punde, a resident of Georai, District Beed.

3. It is alleged that during the inquiry with the co-accused

and brother of the deceased Darshan (alias Gotu) Vilasrao Punde, it was revealed that Manohar suffered from liquor addiction and frequently availed hand loans on interest. The co-accused stated that both he and his mother were subjected to daily physical and verbal abuse by Manohar, while he was under the influence of alcohol.

4. It is further alleged by the prosecution that driven by the above circumstances, Darshan contacted the present applicant and others to intervene and reprimand Manohar. Consequently, on 27.08.2023 at about 11:30 p.m., the applicant and other co-accused allegedly took Manohar on a motorcycle and assaulted him, inflicting injuries that led to his death.

5. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offence, emphasizing the absence of any independent eyewitness to establish his complicity. It is further contended that the prosecution case is based entirely on a circumstantial chain of events and the same is completed. On 27.08.2023, the deceased was allegedly seen with the applicant and his body was found on 28.08.2023.

6. The learned counsel for applicant further submits that there was no intention to commit murder. The learned counsel also submits that a co-accused in this crime has already been enlarged

on bail by this Court; therefore, on the grounds of parity, it is prayed that the application be allowed.

7. The learned APP opposed the application, submitting that the applicant beat the deceased, who succumbed to the injuries. It is contended that the offence is serious in nature and that there is sufficient material on record to establish the applicant's complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offense being repeated. Accordingly, it was prayed that the application be rejected.

8. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, it prima facie appears that the case of the prosecution is primarily based on circumstantial evidence. While the deceased was allegedly last seen with the applicant on 27.08.2023, the body was not discovered until 28.08.2023. It is settled position that in cases where there is no direct ocular evidence (eyewitnesses), the benefit of doubt at the bail stage may be extended to the accused, in the event, the chain of circumstances is not prima facie seamless or conclusive.

9. Furthermore, the co-accused, Darshan alias Gotu

Vilasrao Punde and Aniket Ajay Zada, have already been enlarged on bail by this Court. A perusal of the prosecution case reveals that the allegations against the present applicant are identical to those levelled against the co-accused.

10. The investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

11. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant. The apprehension expressed by the learned APP about tampering with the prosecution evidence, can be adequately taken care of by imposing stringent conditions.

12. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant - Suraj @ Mauli Anandrao Bapte, be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local

solvent sureties in the like amount, in Crime No. 450 of 2023 registered with Georai Police Station, Dist. Beed for the offences punishable under Sections 302, 120(b) read with Section 34 of the Indian Penal Code, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (iii) Needless to states 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.)

Omkar Joshi