



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

BAIL APPLICATION NO.1955 OF 2025

Harshal Rajendra Medhe,
Age: 21 Years, Occu: Labour,
R/o. Sahajivan Nagar, Laxmiwadi, Dhule.

..Applicant
(Orig. Accused)

Versus

The State of Maharashtra,
Through Dhule City Police Station
Taluka and District Dhule

..Respondent

...

Mr. C. C. Deshpande, Advocate for Applicant.
Mr. B. B. Bhise, APP for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 16th MARCH, 2026**

ORDER:-

1. The applicant seeks regular bail in connection with Crime No.107/2024 registered with Dhule City Police Station, Dist. Dhule for offences punishable under Sections 302, 243, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code and Sections 37(1), 37(3), 135 of Maharashtra Police Act, 1951.

2. The investigation was set in motion on the basis of information given by Rushikesh Chhagan Guldagade. It is alleged that in year 2018 brother of informant Amol had assaulted accused Harshal Medhe. On 03.03.2024, Cricket Tournament was arranged. At about 12.15 pm while informant was standing near Mahadeo Temple, he heard noise absuing name of his brother Amol. Accused Aditya, Harshal, Raju, Jayesh @ Golu Dhapte and

Gunwant Sonawane were found assaulting Amol. The accused Aditya Mendhe inflicted injury by sharp weapon on neck of Amol. When Amol fell down, accused/applicant sat on his chest and pressed his neck using handkerchief. The accused Raju Mendhe pelted stone towards Amol. Accused Gunwant Sonawane was holding sharp weapon, but he gave kick blows to Amol. Accused Jayesh @ Golu hit Amol by wooden log. Amol suffered fatal injuries and declared dead at Government Medical Hospital, Dhule. The aforesaid information culminated into registration of offence against in all five accused persons including applicant. The applicant came to be arrested on 04.03.2024. Since then, he is behind bar. His Bail Application has been rejected by Sessions Court vide order dated 24.12.2024. Hence, this Application.

3. Mr. Chaitanya Deshpande, learned Advocate appearing for applicant submits that applicant has been falsely implicated in aforesaid crime. The fatal injuries caused to deceased Amol by accused Aditya Mendhe. The applicant was not holding any weapon. The allegations against him is limited to the extent that he sat on chest of deceased and attempted to strangle him. Accused Rajendra and Jayesh Dhapte have been already released on bail. Therefore, applicant deserves benefit of parity. The applicant is behind bar for more than two years. The trial would take its own course.

4. Per contra, Mr. Bhise, learned APP opposes Bail Application contending that accused persons formed unlawful assembly and caused murder of deceased. The role of applicant is specifically disclosed in FIR and in statements of eye witnesses. The deceased had suffered as many as 15 injuries.

5. Having considered submissions advanced by learned Advocates appearing for respective parties, it is apparent that applicant has been named in FIR alongwith other accused persons. The FIR stipulates that accused Aditya Mendhe had inflicted injuries by sharp weapon on neck of deceased Amol. The applicant is alleged to have attempted to throttle Amol. The postmortem report suggests that Amol had suffered multiple injuries. The fatal injuries appears to be over antero-lateral aspect of neck on left side. The size of injury is 12 cm x 0.5 cm subcutaneous tissue deep. The final cause of death is shown as head injury. The cause of death appears to be linked with injuries no.2 and 3 on forehead or abrasion over occipital region.

6. The learned Advocate appearing for applicant insisted for grant of bail on ground of parity, as two accused persons named in FIR are already granted bail by this Court. This Court finds that even while releasing accused Rajendra, this Court observed that main allegations are against Aditya. Accused Rajendra is released since there was no recovery of stone, which had caused

injury to toe of deceased. The accused Jayesh Dhapte is released on bail since he is alleged to have given blow of wooden log, which was not seized from him. The applicant is said to have mounted on chest of deceased after he fell to ground as a result of blow by accused Aditya and is alleged to have attempted to throttle Amol. It is, therefore, difficult to link applicant with fatal injury, particularly relatable to cause of death. The applicant deserves to be released on bail on principle of parity. Further, applicant has already suffered incarceration of two years and trial is likely to take much time for conclusion. Resultantly, case is made out for grant of bail subject to certain conditions. Hence, following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Harshal Rajendra Medhe be released on bail in Crime No. 107/2024 registered with Dhule City Police Station, Dist. Dhule for offences punishable under Sections 302, 243, 143, 147, 148, 149, 323, 504, 506 of Indian Penal Code and Sections 37(1), 37(3), 135 of Maharashtra Police Act, 1951 on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) on following condition:
 - a. The applicant shall not tamper with prosecution evidence in any manner.
 - b. The applicant shall attend each and every effective

date before the Trial Court.

c. The applicant shall not indulge in criminal activity.

(iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2026