



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

31 BAIL APPLICATION NO. 2216 OF 2025

Shankar Manik Pandhare

....Applicant

VERSUS

The State of Maharashtra & another

.....Respondents

Mr. S. J. Salunke, Advocate for Applicant.

Mr. C. V. Bhadane, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 19th JANUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 299/2025 registered with Purna Police Station, Dist. Parbhani, for the offences punishable under Sections 103(1), 115(2), 352, 352(2), 352(3)(5), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on 10.07.2025, after dinner, the informant alongwith Akash Kale and Azar Pathan was at a square in front of a Temple, Koliwada, Purna. At that time he came to know from Akash that a quarrel has taken place between the Applicant and the brother of the informant in the afternoon. Thereafter, at about 9.00 pm, they heard noise of quarrel and accordingly, proceeded towards the spot and noticed the present Applicant and the co-

accused were beating and abusing the deceased. Co-accused Ganesh caught hold collar of deceased and Suraj inflicted fist blows on his stomach. Applicant was beating the deceased with kicks and fists. Co-accused forcibly hit head of the deceased on the platform. As a result of which, deceased fell down. Thereafter, they continued to beat the deceased by fists and kicks. Informant alongwith other persons rescued the deceased and took him to the house. On account of severe injuries the deceased was not in a position to talk. Immediately, the informant took him to hospital at Purna and later on upon advise of the concerned doctor the deceased was shifted to Government Hospital, where he was declared as dead. On this backdrop, the First Information Report came to be registered.

3. Learned Counsel for the Applicant submits that the Applicant is falsely implicated in the crime. The alleged incident has never ever taken place. Further, the Post Mortem report also indicates no corresponding external injuries as alleged in the First Information Report and the cause of death is indicated as heart attack, which does not indicate complicity of the present Applicant in the crime. Investigation in the crime is complete and charge-sheet is filed. Hence, prayed to enlarge the Applicant on bail.

4. Per contra, learned APP for the State vehemently opposed the Application by submitting that the act is serious in nature. The deceased has lost his life in the alleged incident. Statements of the witnesses indicate involvement of the Applicant in the crime. An apprehension is also expressed that if the Applicant is enlarged on bail there is every possibility of tampering with the prosecution evidence. Hence, prayed to reject the Application.

5. Upon hearing submissions for both sides and on perusal of the record, including charge-sheet, prima facie, it appears that the cause of death is heart failure. Post Mortem report indicates absence of corresponding external injuries as alleged in the First Information Report. Considering the fact that the charge-sheet is filed, investigation is complete for all intent and purposes, no fruitful purpose would be served by further incarcerating the Applicant. The apprehension expressed by learned APP can be adequately safeguarded by imposing stringent conditions upon the Applicant.

6. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant, Shankar Manik Pandhare, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 299/2025 registered with Purna Police Station, Dist. Parbhani, for the offences punishable under Sections 103(1), 115(2), 352, 352(2), 352(3) (5), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
- (c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.
- (d) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(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.

7. Stand over to 20.01.2026 for further consideration.

(SACHIN S. DESHMUKH, J.)

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