



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

BAIL APPLICATION NO.28 OF 2026

Dilip s/o Goma Thakre

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. U.U. Wagh, Advocate for applicant
Mr. C.V. Bhadane, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 23rd JANUARY, 2026

PER COURT :

1. By this application, the applicant seeks release on regular bail in connection with Crime No.187/2025, registered with Dhadgaon Police Station, District Nandurbar for the offences punishable under Sections 351(3), 109 of the Bhartiya Nyaya Sanhita, 2023 and Section 3(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013.

2. The prosecution case is that, Gitabai is mother of the

informant. Akash, son of applicant died due to strangulation on 15/4/2025. Thereafter on 30/4/2025 at about 7.00 p.m., the applicant came to the house of informant stating to the mother of informant that she was a Witch and was responsible for the death of his son. On 1/5/2025, the village panchas gave understanding to the applicant, who clarified that, he did so under the influence of liquor and tendered apology.

3. It is further averred in the F.I.R. that, on 27/10/2025 at about 9.30 p.m., when the informant etc. were attending religious function, the applicant again uttered same expression as Witch and responsible for the death of his son. The brother of the informant namely Bharat tried to convince the applicant. At that time, the applicant gave stick blow behind the head of Bharat with intention to kill him and threatened to kill Gitabai in the same manner. The injured was taken to the hospital and thereafter the F.I.R. came to be lodged.

4. The learned counsel for the applicant submits that, the this is a case of over-implication. In any case, the investigation in complete for all intents and purposes and as such, the applicant deserves to be released on bail. As such, prayed to allow the application.

5. Learned A.P.P. opposed the application, contending that the involvement of the applicant is rather apparent and the injured have sustained injuries. As such, prayed for rejection of the application.

6. Upon hearing the learned counsel for both sides and perusal of the record, the injuries sustained by the victim are simple in nature, therefore, prima case appears to be of false implication. The investigation is complete for all intents and purposes. Considering the injuries in particular, further custody of the applicant is not justified.

7. So far as the apprehension expressed by the learned A.P.P. about pressurising the prosecution witness and the victim, same can be adequately taken care of by imposing stringent conditions. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant Dilip Goma Thakare be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on

the conditions that :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) The applicant shall remain present on each date, unless exempted by the trial Court.
- (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.

(SACHIN S. DESHMUKH, J.)

fmp/-