



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 460 OF 2026

Jayesh @ Jabya Ravindra Kharat,
Age 28 years, Occ. Nil,
R/o. Gaikwad Chowk, Varkhedi Road,
Dhule

... Applicant

VERSUS

The State of Maharashtra,
Police Station Officer, Aazadnagar,
Police Station Dhule

... Respondent.

...

Advocate for Applicant : Mr. Satyajit S. Bora
A.P.P. for Respondent/State : Mr. C. V. Bhadane

CORAM : SHAILESH P. BRAHME, J.
DATE : 01.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime 275/2023, registered with Aazadnagar Police Station, District Dhule, for the offences punishable under Sections 302, 364, 143, 147, 148, 149, 323, 504, 506, 120-B of the Indian penal Code, under Section 4/25 of the Arms Act, 135, 37(1), 37(3) of the Maharashtra Police Act and under Sections 3(1) (I), 3(2) and 3(4) of Maharashtra Control of Organized Crimes Act, 1999.
3. The applicant is arrested on 12.10.2023. The application is preferred after filing of the charge-sheet.
4. It is reported that brother of informant Shubham was having his business terms with one Vinod Thorat but due to differences he was separated. He was having grudge against Shubham and in April 2022, he

was assaulted by Vinod Thorat and other persons. On 09.10.2023 the incident took place at 10.45 p.m. when applicant along with other persons met the deceased and they were assaulted with sticks, scythe. The quarrel started between them. Shubham was assaulted and forcibly abducted to the dumping ground. There was assault by perpetrator Mahesh Pawar by scythe. The applicant was also one of the assailants.

5. Learned counsel Mr. Bora appearing for the applicant submits that there is no direct evidence available showing incriminating role of the applicant. The transcription of CCTV footage does not show the applicant. Another panchnama of transcription also does not indicate any overt act of the applicant. The statement of eye witness Shivam merely shows presence of the applicant without attributing any incriminating role. It is submitted that even the charge has not been framed by the Trial Court. There is long incarceration and the applicant is entitled to be released on bail.

6. Learned A.P.P. submits that there are serious antecedents against the applicants, who is habitual. There was previous enmity between deceased Shubham and Vinod Thorat. There were disputes between Prabhakar Patil and Mahesh Pawar. Deceased Shubham was tenant of Prabhakar Patil. There is reason to believe that Shubham was targeted by the accused.

7. I have gone through the statement of eye witness Mayur. Shubham was first assaulted near police Chowki. Thereafter he was carried to a lonely place by motor cycle. The accused were having weapons. Thus another eye witness to the incident is Shivam Gore, who has stated that applicant was amongst the accused persons who assaulted the deceased by fist and kicks blows. Other accused assaulted him by weapons and he was praying for mercy. The deceased was being carried by the applicant and other accused. He was last seen in the company of them. The statement of Prabhakar Patil also discloses the old rivalry and criminal tendencies of the accused. The involvement of the applicant is evident.

8. It transpires from record that the offence has been committed by

forming unlawful assembly. There are 12 serious antecedents against the applicant. A list of which is placed before this Court. There was oral dying declaration made before Gautam Sapkale, Police Officer showing involvement of the applicant. I have gone through the injuries from the postmortem report, those correspond to the prosecution case. There are as many as 49 injuries mentioned in the column no. 17. No case is made out to enlarge the applicant on bail.

13. Bail Applications are rejected.

(SHAILESH P. BRAHME, J.)

mkd/-