



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

BAIL APPLICATION NO. 118 OF 2026

Sonya @ Amol Chandrakant Bhujbal,
Age 24 years, Occ. Labour,
R/o. Malwasti, Tandali Wadgaon,
Ahilyanagar. ... **Applicant**

VERSUS

The State of Maharashtra,
Through Nagar Taluka Police Station,
District Ahilyanagar ... **Respondent.**

**WITH
BAIL APPLICATION NO. 116 OF 2026**

Navnath @ Rahul Dilip Raut,
Age 26 years, Occ. Labour,
r/o. Near Bhairvanath Mandir,
Gundegaon, Ahilyanagar ... **Applicant**

VERSUS

The State of Maharashtra,
Through Nagar Taluka Police Station,
District Ahilyanagar. ... **Respondent**

...

Advocate for Applicant : Mrs. Madhubala B. Gangwal a/w Mr. D.S. Ladda
A.P.P. for Respondent/State : Mrs. P. V. Diggikar

CORAM : SHAILESH P BRAHME, J.
DATE : 02.04.2026

PER COURT :

Heard both sides.

2. The applicants are seeking regular bail in connection with Crime No. I-540/2025, registered with Nagar Taluka Police Station, District Ahmednagar for the offences punishable under Sections 103(1), 3(5) of

Bharatiya Nyaya Sanhita, 2023, now registered as Sessions Case No. 310/2025 for the offences punishable under Sections 103(1), 61(2), 324(6) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The applicants are involved in the offence registered at the instance of Laxman brother of deceased Baliram, who was assaulted on 22.06.2025 by the applicants and others. It is reported that due to old rivalry Baliram was assaulted by knife and wooden stick. His car was also damaged. He was assaulted twice on the fateful day, resulting into his death.

4. Learned counsel for the applicants submits that there is no direct evidence against the applicant. There was no motive or *mens rea* to commit murder. No assault is attributed to the applicant on any vital part of the body. The dying declaration is inadmissible in evidence and inconsistent with the prosecution story. The investigation is over and there is no reason to detain the applicants.

5. Learned A.P.P. would submit that the applicants are involved in brutal assault on Baliram. There are as many as 18 injuries on vital part of the body caused by sticks and knife. The incriminating material, statement of Aniket, dying declaration, transcription of CCTV footage would corroborate the prosecution case. It is submitted that the statement of Ashok shows the involvement of the applicants. The weapons are recovered vide panchnama under Section 27.

6. The papers of the investigation show that there was old rivalry between informant and the accused persons. They were knowing each other. The applicants' names are specifically mentioned in the first information report. They are attributed assault by knife and stick. Baliram is assaulted twice by the accused within short interval.

7. The statement of Aniket Shinde shows that he was eye witness and his version is consistent with the prosecution story barring marginal variance. Baliram was assaulted by Danial by knife. The statement of Ashok is oral

dying declaration showing involvement of the applicants. I have gone through written dying declaration recorded in the presence of the Medical officer attributing specific role to the applicants.

8. The postmortem report shows that there are as many as 18 injuries on vital part of the body. The accused were armed with the weapons. They assaulted deceased twice even by chasing him. There is every reason to believe that they wanted to commit murder.

9. My attention is adverted to the panchnama by which weapons are recovered from both the applicants. The seizure panchnama of clothes shows blood stains, recovered from the applicants. The applicants are involved in serious offence. The transcription of the video collected from the mobile would disclose complicity of the applicants. I find that no case is made out to enlarge the applicants on bail.

10. Learned counsel for the applicants has relied upon the judgment of **Satender Kumar Antil Vs. Central Bureau of Investigation and another; 2022 (10) SCC 51**. I have gone through paragraph nos. 11 and 12. The principles laid down therein cannot be disputed. But those cannot be made applicable to the present case because facts are distinguishable.

11. Further reliance is placed on the judgment of **Chauhan Firojkhan Rahimkhan Kamalkhan Vs. The State of Gujarat**. I have gone through paragraph nos. 5 and 7 of the judgment. Those principles are undisputed.

12. Further reliance is placed on the judgment of **Sushmita Sharma @ Shumita**. It is an order and cannot said to be a binding precedent. The judgment cited would not enure to the benefit of the applicants.

13. Bail Applications are rejected.

(SHAILESH P. BRAHME, J.)

mkd/-