



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

BAIL APPLICATION NO. 123 OF 2026

SANDESH EKNATH VADODE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Santosh C. Bhosle
APP for Respondent : Mr. A. R. Kale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 12-02-2026

PER COURT:-

1. The applicant seeks bail in connection with Crime No.190 of 2025 dated 10.06.2025 registered with Umri Police Station, Taluka Umri, District Nanded, for the offences punishable under Sections 103(1) and 3(5) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicant was arrested on 11.06.2025. After completion of the investigation, the chargesheet has been filed.
2. The prosecution case is that on 10.05.2025, the deceased, Fardeen Shaikh Jamir Shaikh, entered the field of Madhav Dasre, where he was intercepted by the applicant and the co-accused. On the suspicion of being a thief, the deceased was tied to a tree and subsequently murderous assault. Following the incident, Accidental Death (A.D.) report was registered by the Police Patil. It was only after a one-month delay, on 10.06.2025, that the brother of the deceased lodged a formal complaint. Consequently, the report is lodged.

3. Learned counsel for the applicant submits that, the case is based on circumstantial evidence. There is unexplained delay in lodging the report. The applicant is falsely involved in the crime. There are sweeping allegations made against the applicant. The investigation is over for all the intent and purposes. As such, further incarceration of the applicant is not warranted.

The learned counsel, on the ground of parity, points out that this Court has already granted bail to the co-accused: Accused No.2, Avinash s/o. Arun Soge, in Bail Application No. 2191 of 2025 on 07.01.2025. In these circumstances, the applicant is also entitled to be admitted to bail. It is, therefore, prayed that the application may be allowed.

4. Per contra, the learned A.P.P. opposed the application, submitting that the offence is serious in nature. The prima facie evidence supports to the involvement of the applicant in the murderous assault. Hence, the applicant may not be released on bail.

5. Having heard the respective counsels for both the sides and upon perusal of record including the chargesheet, it is evident that the prosecution's case revolves entirely on circumstantial evidence without a direct ocular link. The significant and unexplained delay of one month in lodging the FIR, following the initial Accidental Death report, *prima facie* creates a substantial cloud of doubt over the prosecution's case at this stage.

6. Furthermore, this Court has already evaluated the role of co-accused Avinash s/o. Arun Soge (Accused No. 2) and granted him bail vide order dated 07.01.2025 in Bail Application No. 2191 of 2025. Since the allegations and the evidence against the present applicant are *prima facie* identical in nature and stem from the same set of facts, the applicant is also entitled for parity.

7. The investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Sandesh Eknath Vadode, be released on bail, upon 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.190 of 2025 dated 10.06.2025 registered with Umri Police Station, Taluka Umri, District Nanded, for the offences punishable under Sections

103(1) and 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 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 the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE