



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 125 OF 2026

LAXMAN PIRAJI SURANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Santosh C. Bhosle
APP for Respondents-State : Ms. R. R. Tandale
Advocate for Respondent No. 2 : Mr. Aakash Madne (Appointed)

CORAM : SACHIN S. DESHMUKH, J.

Date : 23rd February, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 26.08.2025 bearing Crime No. 280 of 2025 registered with Umari Police Station, Dist. Nanded for the offences punishable under Sections 103(1), 64(f)(m), 3(5) of the Bharatiya Nyaya Sanhita, 2023 alongwith Section 3(2)(v-a) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, under Sections 4 and 6 of the Protection of Women from Sexual Offences Act, 2012 and Sections 9 of the Child Marriage Act.

2. The case of the prosecution is that Between 01.01.2023 and 31.12.2024, the deceased, Lakhan Bhandare, and Sanjeevani

Maroti Surane were involved in a love affair. On noting this affair by the villagers, a prominent local figure mediated a settlement between the two families and the couple, after which it was believed the matter was resolved. From 01.01.2025 to 24.08.2025, Maroti Laxman Surane arranged his daughter Sanjeevani's marriage to Sudesh Kamale in Golegaon. Although the families noticed no further contact, the secret relationship between Lakhan and Sanjeevani continued during this period.

3. It is further alleged that on 25.08.2025 approximately at 01.15 pm, while the informant was attending the funeral of Rajendra Bhandare, received a phone call from Mahend Bhujang Tarode informing that Lakhan had gone to Golegaon to meet Sanjeevani and that both had been detained by Sanjeevani's family. Lakhan briefly contacted the informant requesting help before his phone went unanswered. Later on 25.08.2025, Chandrakant Bhandare informed the family that the accused Maroti Laxman Surane, Madhav Laxman Surane, and Laxman Piraji Surane, had taken Lakhan and Sanjeevani toward Borjuni. While searching for them, the informant and his relatives reached the farm of Bapurao Kadam in the area of Karkala village, where a crowd had gathered near a well.

4. It is further alleged that between 02.00 pm and 03.30 pm on 25.08.2025, the accused trio allegedly murdered Lakhan Bhandare, Sanjeevani and Sudesh Kamale on the footpath between Golegaon and Borjuni. They then disposed of the bodies in the well at Karkala Shivara. Accordingly, the FIR came to be registered.

5. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offence. The entire prosecution case rests on circumstantial evidence. There is no "eye-witness" to the actual commission of the alleged triple murder. The informant's statement regarding the accused taking the deceased toward Borjuni is based on hearsay (information provided by Chandrakant Bhandare).

6. The learned counsel for applicant further submits that the FIR mentions the "accused trio" collectively. There is a lack of specific allegations or a defined role attributed to Laxman Piraji Surane regarding the actual act of killing or the disposal of the bodies. Moreover, the investigation is complete and the charge-sheet is also filed. Nothing remains to be recovered at the instance of applicant. Hence, it is prayed that the application be allowed.

7. The learned APP and the learned counsel appointed on behalf of respondent No. 2 have opposed the application, submitting that the offence is serious in nature and that there is sufficient material on record to establish the applicant's complicity. The gravity of the offence is extreme, as the accused targeted and brutally murdered Lakhan Bhandare and Sanjeevani due to their love affair, as well as Sudesh Kamale, deploying a total disregard for the law. There is seamless chain of circumstantial and direct evidence against the applicants. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offence being repeated. Accordingly, it was prayed that the application be rejected.

8. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the applicant / accused is implicated in a double homicide, involving the pre-meditated murder of Lakhan Bhandare and Sanjeevani Surane. The nature of the crime a suspected "honor killing", is particularly heinous and strikes at the fabric of public order. The brutality involved in the alleged killing and subsequent disposal of

two bodies in a well indicates a high degree of depravity and criminal intent.

9. While the the learned counsel for applicant argues that the evidence in the crime is of circumstantial in nature, the prosecution has prima facie established a strong chain of events. The statement of witness Chandrakant Bhandare specifically names Laxman Piraji Surane as one of the trio who forcibly took the deceased toward the location of the crime (Borjuni) shortly before the murders occurred. This "Last Seen" evidence, coupled with the immediate discovery of the bodies, creates a strong prima facie presumption of guilt.

10. In my considered view, the prosecution has sufficiently established the 'last seen together' theory alongwith other corroborative material. As such, as has been held by the Hon'ble Apex Court in case of **Satpal Singh Vs. State of Haryana [(2020)2 SCC 118]** that bail ought to to be withheld, if prosecution has established the 'last seen together' circumstance alongwith corroborative material.

11. The contention that no specific overt act is attributed to

this particular accused does not warrant consideration at this stage. The facts suggest a concerted action by the family members. The presence of Laxman Surane at the scene of the detention and during the transport of the victims prima facie indicates common intention. In cases of group-perpetrated custodial violence / honor killings, the individual "blow" is less relevant than the collective participation in the criminal enterprise.

12. The Hon'ble Apex Court in case of **Kalyan Chandra Sarkar and Ors. Vs. Rajesh Ranjan and Ors. [(2004)7 SCC 528]**, while laying down the guidelines for grant or refusal of bail in serious offences like murder, has observed as under :

"11. The law in regard to grant or refusal of bail is very well settled. The court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the court granting bail to consider among other circumstances, the following factors also before granting bail; they are:

(a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.

(b) Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.

(c) Prima facie satisfaction of the court in support of the charge. (See Ram Govind Upadhyay v. Sudarshan Singh and Puran v. Rambilas.)

13. Similarly, the Hon'ble Apex Court in case of **Pralhad Singh Bhati Vs. NCT, Delhi [(2001)4 SCC 280]**, held that on satisfaction of prima facie evidence establishing the guilt of the accused, the bail can be denied.

14. The Hon'ble Apex Court in case of **RamGovind Upadhyay Vs. Sudarshan Singh [(2002)3 SCC 598]**, has held that a judicial discretion in granting bail must not be exercised whimsically, especially in heinous offences.

15. The Hon'ble Apex Court in the case of **Mahipal Vs. Rajesh Kumar and Ors. (AIR 2020 SC 670)** has laid down the principle that bail can be refused when the material produced by prosecution establishes a clear prima facie case. The Court should not conduct a mini-trial; it should only examine whether the available evidence links the accused to the alleged offence.

16. Equally, the Hon'ble Apex Court in case of **State of UP through CBI Vs. Amaramani Tripathi [(2005)8 SCC 21]**, has held that the Court must evaluate the prima facie evidence showing the applicant's involvement. If such evidence is credible and supports the accusations, bail may be refused. As stated earlier, the prosecution has, *prima facie*, collected overwhelming evidence against the present applicant.

17. The Hon'ble Apex Court in case of **Prasanta Kumar Sarkar Vs. Ashis Chatterjee [(2010)14 SCC 496]**, has held that the mechanical grant of bail reflects non-application of mind, and outlined eight crucial factors to be considered, including reasonable ground for belief in guilt, nature of evidence and possibility of justice being thwarted.

18. The Hon'ble Apex Court in case of **State of Bihar Vs. Amit Kumar [(2017)13 SCC 751]**, has held that delay especially in cases involving serious offences, cannot by itself be a ground for bail. In the present case, the trial is actively progressing, and the prosecution has demonstrated its commitment to concluding proceedings expeditiously. Considering the seriousness of the offences charged, the extensive material evidence presented

weighs overwhelmingly against the applicant.

19. In view of the aforesaid observations and having regard to the gravity of the offence, I do not find merit in the present application. Accordingly, the bail application is **rejected**.

20. The High Court Legal Services Sub-Committee, Aurangabad, to pay the fees to the learned counsel appointed on behalf of respondent No. 2, as per rules.

21. Needless to states 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, J.)

Omkar Joshi