



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

BAIL APPLICATION NO. 136 OF 2026

YASHWANT ANANTA WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Girish V. Wani h/f. Mr. Ishwar K. Wagh
APP for Respondent : Mr. A. R. Kale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 25-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.I-690 of 2023 dated 03.07.2023 registered with Pathardi Police Station, Taluka Pathardi, District Ahilyanagar, for the offences punishable under Section 302 of the Indian Penal Code. In the said crime, the applicant was arrested on 03.07.2023. Upon completion of the investigation, the chargesheet is filed.

2. The prosecution case is that the accused and deceased were husband and wife and were working with the informant at his farm house. The accused used to doubt the character of deceased and used to beat her. On 02.07.2023 at 5.40 p.m. the accused called the informant on his mobile phone and narrate that, he had committed murder of her wife, as the deceased had taken money by someone to buy grocery. He also stated to the complainant that, the deceased was having illicit relation with someone and

therefore some one had given money to her therefore the accused had beaten the deceased by wooden stick on her back, chest, head and other parts of the body.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and falsely implicated in offence. On suspicion, the police arrested the accused. There is no eyewitness. There is no intention or motive on the part of the applicant to commit the offence as alleged in the complaint. The applicant is in jail since his arrest i.e. 03.07.2023. The investigation is completed. The chargesheet is filed. Nothing is to be recovered from the applicant. As such, no purpose would be served in keeping the applicant behind the bars. The applicant has no criminal antecedent. Thus, prayed to allow the application.

4. The learned APP has opposed the application and contended that the offence is serious in nature. There is *prima facie* involvement of the accused in the said crime. The muddemal is recovered vide panchanama. In the investigation material collected is against the applicant. The offence is serious in nature. If the applicant is released on bail, he may threaten and pressurize the complainant and witness. Hence, prayed to reject the application.

5. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet

indicates that the case is premised on circumstantial evidence. *Prima facie*, there is absence of material to establish a seamless link involving the applicant in the alleged incident. The applicant is of 32 years old and behind the bars since arrest i.e. 03.07.2023 and the trial has not progressed so far only charge has been framed. As such, further incarceration of the applicant would be unjustified.

6. Nevertheless, the investigation is completed 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 incarceration, 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.

7. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Yashwant Ananta Waghmare, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand), with one solvent surety of the like amount in Crime No.I-690 of 2023 dated 03.07.2023 registered with Pathardi Police Station, Taluka Pathardi, District Ahilyanagar, for the

offences punishable under Section 302 of the Indian Penal Code, on the conditions that;

- (a) The applicant shall not pressurize the prosecution witnesses and shall not 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.
 - (c) The applicant shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iv) 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