



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 142 OF 2026

SUDESH SHIVAJI KAMLE
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 case against the applicant rests on circumstantial evidence. There is a lack of a specific overt act attributed to him in the FIR. The investigation is complete and the charge-sheet is also filed. Nothing remains to be recovered at the instance of application. Hence, it is prayed that the application be allowed.

6. The learned APP and the learned counsel appoint 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 offense being repeated. Accordingly, it was prayed that the application be rejected.

7. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the FIR and statements of witnesses focus entirely on the three relatives i.e. Maroti, Madhav, and Laxman as the ones who caught and moved the victims. Prima facie, there is no evidence showing that Sudesh Kamle actually participated in the kidnapping or the killings. It appears that the applicant was only named because he was the husband. In the primary complaint dated 25.08.2025, the informant initially victims who was murdered and thrown into the well i.e. Lakhan Bhandare and Sanjeevani. This ambiguity prima facie as to whether the applicant is a perpetrator creates a strong prima facie case for the "benefit of doubt" at this stage.

8. Moreover, the motive for the alleged triple homicide, as stated in the FIR, is rooted in the "honor" of the Surane family due

to the love affair between Lakhan and Sanjeevani. As the husband of Sanjeevani, the applicant Sudesh Kamale does not share the same familial lineage as the other co-accused, the father, uncle, and grandfather.

9. Upon considering the papers on record, it is prima facie evident that the material witnesses Mahend Bhujang Tarode and Chandrakant Bhandare specifically named Maroti, Madhav, and Laxman Surane as the individuals who detained and transported the deceased. No specific overt act or weapon has been attributed to Sudesh Kamale in the initial statements recorded on 25.08.2025. In that view of the matter, continued incarceration of the applicant would amount to pre-trial punishment.

10. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

11. 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.

12. 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.

13. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Sudesh Shivaji Kamle be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in 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, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.

- (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (iii) 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