



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

933 BAIL APPLICATION NO. 193 OF 2026

Sakir Ibrahim Ansari

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

Mr. P. P. Giri, Advocate for Applicant.

Mr. P. P. Davalkar, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 26th FEBRUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 0230/2025 registered with Wadhwana Police Station, District Latur for the offences punishable under Sections 103(1), 238, 61(2) of the Bharatiya Nyaya Sanhita.

2. The case of the prosecution is that on 24.08.2025 at about 5.05 pm, one Chaitan Patil called informant and informed that one badly smelling suitcase was lying under the Teri river bridge at Shelgaon to Chakur road. Hence, at about 6.45 pm, informant reached the spot and with the help of police personnel, took out the said suitcase. Dead body of a lady was found in the said suitcase. On this backdrop, First Information Report was lodged.

3. Learned Counsel for the Applicant submits that the Applicant is falsely implicated in the offence. The First Information Report is lodged against unknown persons. The Applicant has been arraigned as accused on the basis of statement of Accused No. 1. No incriminating material is brought on record by the prosecution indicating complicity of the Applicant in the crime. There are no criminal antecedents against the Applicant. Investigation in the crime is complete and charge-sheet is filed. Applicant is arrested on 15.09.2025. Hence, prayed to allow the application.

4. Per contra, learned APP vehemently opposed the application submitting that the Applicant is involved in serious crime. Applicant was last seen in the company of accused No. 1 preceding the incident. It is further submitted that, at the time of the incident, upon instructions of Accused No. 1, the present Applicant took his children to play ground. Thus, role of present Applicant in hatching conspiracy is apparent. Hence, prayed to reject the application.

5. Upon considering submissions of both sides and on perusal of the record, including charge-sheet, it is prima facie evident that the name of the Applicant is not disclosed in the First Information

Report. Applicant has been arraigned as accused only on the basis of the statement of accused No. 1, which has no evidenciary value. Except the role of the Applicant that at the time of the incident he took the children of Accused No. 1 to play ground, nothing incriminating is brought on record indicating complicity in the alleged offence.

6. Nevertheless, investigation in the crime is complete for all purpose and intent. Resultantly, charge-sheet is filed. Applicant is behind the bars since 15.09.2025. Having regard to the fact that the Applicant was arraigned only on the basis of statement of accused No. 1 having no evidentiary value coupled with the fact that nothing incriminating is brought on record indicating complicity of the Applicant in the crime, further incarceration of the Applicant is not warranted. I am therefore inclined to exercise discretion in favour of the Applicant.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicants Sakir Ibrahim Ansari, be released on bail, on 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. 0230/2025 registered with Wadhwana Police Station, District Latur for the offences punishable under Sections 103(1), 238, 61(2) of the Bharatiya Nyaya Sanhita, 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 of the Applicant 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 concerned Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)