



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

BAIL APPLICATION NO. 313 OF 2026

Pradip S/o Babasaheb Sukase,
Age : 19 Years, Occu. : Labour,
R/o Zenda Ground, Waluj,
Tq. Gangapur, Dist. Aurangabad. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Nilesh S. Ghanekar, Advocate for the Applicant.
Shri A. R. Kale, Addl.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.
DATE : 24TH MARCH, 2026.

FINAL ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in furtherance of offence bearing Cr. No. 296/2025 registered with Waluj Police Station, Aurangabad for the offences punishable U/Sec. 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant Mr. Ghanekar submits that there is no incriminating role pitted against the applicant except that he was accompanying the main perpetrator – Ritesh Narwade at the relevant time and he is alleged to have fled away. It is submitted that statements recorded U/Sec. 183 of the Bhartiya Nagarik Surakshya Sanhita (for the sake of brevity and

convenience hereinafter referred as to the “B. N. S. S.”) of Vikas Raosaheb Manal and Sujit Devghatole and their statements U/Sec. 180 of the B. N. S. S. would disclose that no overt act, use of weapon or any express aid in commission of crime can be attributable to the applicant. It is contended that rivalry was in between deceased and accused No. 1 – Ritesh.

3. Per contra, learned Additional Public Prosecutor Mr. Kale submits that there are eye witnesses and incriminating material against the applicant. His presence cannot be ruled out at the relevant time. Besides that CDR and SDR would corroborate the prosecution case and indicate common intention.

4. The incident took place on 08.10.2025. Applicant is arrested on 09.10.2025. Charge sheet is filed on 01.01.2026. After filing of charge sheet, this is first bail application.

5. First information report discloses that there was some rivalry between deceased Prathamesh and accused No. 1 – Ritesh. They were friends. They were knowing each other. Report is lodged by the father of the deceased, who learnt about the incident and assault from Sujit Devghatole and Vikas Manal.

6. I have gone through the statements of Sujit and Vikas recorded U/Sec. 180 as well as U/Sec. 183 of the B. N. S. S. The presence of the applicant is not spelt out in the statement of Vikas recorded U/Sec. 180 of the B. N. S. S. The statements of

the witnesses would reveal presence of the applicant along with accused No. 1. No incriminating role is attributed to the applicant either for actual commission of offence or for sharing any common intention or helping the main perpetrator. *Prima facie* case is made out for grant of bail to the applicant.

7. The purport of the C.D.R. and S.D.R. collected during the course of investigation would be taken into consideration during the course of the trial. The investigation is over. There is no reason to detain the applicant behind the bar any further. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Pradip S/o Babasaheb Sukase shall be released on bail in respect of Cr. No. 296/2025 registered with Waluj Police Station, Aurangabad for the offences punishable U/Sec. 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond of Rs. 25,000/- (Rs. Twenty five thousands only) with one solvent surety of like amount.

C. The applicant shall not tamper or contact with the prosecution witnesses.

D. He shall furnish his mobile/cell number and details of his whereabouts to the Investigating Officer.

E. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 26