



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

BAIL APPLICATION NO. 344 OF 2026

Kiran S/o Dnyandeo Sadaphule,
Age : 26 Years, Occu. : Labour,
R/o Prasadnagar, Shirdi,
Tq. Rahata, Dist. Ahilyanagar. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri R. R. Karpe, Advocate for the Applicant.
Shri S. V. Hange, A.P.P. for the Respondent – State.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 07TH MAY, 2026.**

FINAL ORDER :

. Heard both sides.

2. Applicant is arrested on 11.02.2025 in pursuance of offence bearing Cr. No. 54/2025 registered with Shirdi Police Station, Tq. Rahata, Dist. Ahilyanagar for the offences punishable U/Sec. 109, 311, 312, 3(5), of the Bhartiya Nyaya Sanhita, 2023 (for the sake of brevity and convenience hereinafter referred as to the “B. N. S.”) and Section 4 and 25 of the Arms Act. The charge sheet is filed on 10.05.2025 and he is seeking enlargement on bail.

3. It is reported that the informant and his father had a

business of fabrication at Pimpalwadi Road, Shirdi. On 02.02.2025 they had been to Vaijapur and returned at the late hours in the night. His father returned from workshop to his place of residence and the informant went to Bhakta Niwas. Thereafter he received call of his mother intimating that his father was being stabbed for road robbery. The cash and mobile has been stolen and the father was reported to be injured. He rushed to the parents place and found his father injured by insize wounds. Then he was shifted to the hospital.

4. Learned counsel for the applicant submits that complaint was lodged against unidentified person. The case is based on circumstantial evidence. The applicant is being implicated on suspicion and because of registration of other offences. His implication was due to the supplementary statement. The seizure of his mobile was at the instance of co-accused. The injuries are not serious in nature.

5. Per contra, learned A. P. P. submits that the medico legal certificates would indicate two simple injuries and one grievous injury by the sharp weapon. The test identification parade is in favour of the prosecution. The recovery of mobile hand set of the injured from co-accused is incriminating. It is vehemently contended that applicant and the co-accused committed three robberies and assaulted the concern out of them two victims died. Applicant is history sheeter. There are three other offences registered against him.

6. In pursuance of my order dated 20.04.2026, learned A. P. P. informs this Court that despite communication the investigating officer did not turn up. It is the abdication of the duties of the investigating officer in not responding the officer of the Court. The criminal antecedents of the accused has a significance.

7. The displeasure against the investigating officer shall be communicated to the Superintendent of Police, Ahilyanagar so as to inquire into the conduct of the investigating officer.

8. First information report is lodged against unidentified persons. My attention is adverted to the statement of wife of the victim namely Pushpalatabai and her supplementary statement. After receiving the injuries the victim himself had come to his residence and asked his wife to call the informant. He was conscious and thereafter he was shifted to the hospital. He was found to be stable when the statement was recorded on 05.02.2025. The supplementary statement shows that implication of the applicant was after circulation of the news. Similarly supplementary statement of the victim learnt about involvement of the applicant after the news item were flashed in the print media or the social media. The involvement of the applicant is vulnerable.

9. I have gone through the medico legal certificate of the

injured. There are two simple injuries and one grievous injury. His hand set and cash of Rs. 2,500/- was stolen.

10. The recovery of mobile hand set at the instance of co-accused and the test identification parade are the incriminating factors against the applicant. It is rightly submitted by the learned A. P. P. that three other offences were registered against the applicant. The victims in the couple of offences succumbed to the injuries. Considering overall circumstances, if the investigation is over then there is no point in detaining the applicant in jail.

11. Learned counsel for the applicant has shown readiness to follow any stringent condition. Considering repetitive indulgence of the applicant in road robberies, this Court is inclined to impose stringent condition so as to curtail the activities which are detrimental to the society. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Kiran Dnyandeo Sadaphule shall be released on bail in respect of Cr. No. 54/2025 registered with Shirdi Police Station, Tq. Rahata, Dist. Ahilyanagar for the offences punishable U/Sec. 109, 311, 312, 3(5), of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 25 of the Arms Act on condition of furnishing P. R. bond and S. B. of Rs. 50,000/- (Rs. Fifty

thousands only) with one solvent surety of like amount.

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

D. The applicant shall stay away from entire Ahilyanagar district till conclusion of the trial save and except attending the dates of trial.

E. The applicant shall furnish his mobile/cell number and address to the investigating officer.

F. The applicant shall surrender his Adhsar and PAN Cards.

F. The applicant shall ensure that his mobile phone is kept on so as to enable the investigating officer to contact him.

G. The applicant shall desist himself from committing similar type of offences.

H. The breach of any of the condition mentioned hereinabove shall entail a ground for cancellation of bail.

I. Bail application is disposed of.

[SHAILESH P. BRAHME J.]