



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

BAIL APPLICATION NO. 369 OF 2026

Tejas Sanjay Kale
Age : 19 Years, Occu. : Agril.,
R/o Kangudevadi, Rashin,
Tq. Karjat, Dist. Ahmednagar .. Applicant

Versus

The State of Maharashtra and another .. Respondents

Shri Shashikant E. Shekade, Advocate for the Applicant.
Shri A. R. Kale, Addl.P.P. for the Respondent Nos. 1 and 2.

CORAM : SHAILESH P. BRAHME, J.
DATE : 27TH MARCH, 2026.

FINAL ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 588/2025 registered with Karjat Police Station, Tq. Karjat, Dist. Ahmednagar for the offences punishable U/Sec. 103(1), 118(1), 125(a), 125(b), 281, 324(4) of the Bhartiya Nyaya Sanhita, 2023 and U/Sec. 134(A), 134(B), 177, 184 of the Motor Vehicles Act, 1988.

2. Applicant is arrested on 01.11.2025. Charge sheet is filed on 19.01.2026. Present application is first attempt before the High Court seeking bail.

3. It is reported to the police that informant received

information that his nephew Chandrashekhar @ Nana was found dead at village Korti. On further inquiry it is learnt from his friend Pruthaviraj, who was accompanying him within a car driven by the deceased and chased by the applicant. Applicant was asking the deceased to have a talk, but that was refused. A dash was given to the car of the deceased at village Chilwadi and again another dash was given at Korti and the vehicle turtled and the injuries were sustained to the occupants of the car. The deceased was found to be unconscious and lateron he was declared to be dead.

4. Learned counsel Mr. Shekade appearing for the applicant submits that there is total absence of *mens rea* to eliminate the deceased. Its case of accident or at the most rash driving. The postmortem report does not corroborate the prosecution theory. It is submitted that the statement of Pruthaviraj Salunke and Anjali Chavan would create doubt regarding allegations of murder. It is further submitted that the injured witness Pruthaviraj was in fact requesting the deceased to stop the vehicle instead of speeding it to avoid any confrontation to the applicant.

5. Learned Additional Public Prosecutor submits that the statements of the witnesses are consistent and there is ample material to indicate that intention was to do away with the deceased. It revealed during the course of investigation that there was break up in the relations of the applicant with his girl

friend, witness - Anjali and applicant further learnt that the deceased was roaming with his girl friend. My attention is adverted to relevant part of the statement showing that even after dash was given, applicant was found to have been with iron pipe, had no remorse. His communication with witness Anita Ashok Chavan fortifies the criminal intention and the motive.

6. It reveals from record that applicant, deceased and witness Pruthaviraj were knowing each other and friends. Applicant was to get married with witness Anjali and they had stayed together for some time, but the relationship could not be continued because of the quarrels. It further reveals from the record that applicant had learnt that the deceased was roaming with his girl friend and he wanted to have words with the deceased.

7. The statement of Pruthaviraj, who was in the car which was driven by the deceased shows that the deceased was not in a condition to have any confrontation with the applicant at the relevant time. He was speeding the vehicle when they were being chased by the applicant. The deceased was being requested by him to stop the vehicle, but it was refused. Two dashes were given by the car of the applicant at two points.

8. The statement of witness Anjali shows broken relationship and deceased had been with the witness at different places. It is stated that on 20.08.2025 a hand set was snatched from her by the applicant, who was suspecting feudality of his girl friend. The

statement of Anjali would also disclose that applicant was enraged due to the conduct of the deceased and wanted to teach him a lesson.

9. The supplementary statement of Pruthaviraj shows motive of the applicant which was not disclosed when his earlier statement was recorded. The applicant felt betrayal and wanted to talk which was avoided. *Prima facie* there is absence of premeditation and *mens rea* to commit murder of the deceased. The motive cannot be ruled out. But that is not sufficient to infer *mens rea*. A full fledged trial is required to examine whether *mens rea* exists or not.

10. No criminal antecedents are reported against the applicant. Applicant, informant and the witnesses are residents of different places. Investigation is over. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Tejas Sanjay Kale shall be released on bail in respect of Cr. No. 588/2025 registered with Karjat Police Station, Tq. Karjat, Dist. Ahmednagar for the offences punishable U/Sec. 103(1), 118(1), 125(a), 125(b), 281, 324(4) of the Bhartiya Nyaya Sanhita, 2023 and U/Sec. 134(A), 134(B), 177, 184 of the Motor Vehicles Act, 1988 on condition of furnishing P. R. bond of Rs. 1,00,000/- (Rs. One Lakh only) with

two solvent sureties of like amount.

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

D. The applicant shall not enter entire Karmala taluka, Dist. Solapur till conclusion of the trial.

E. He shall furnish his mobile/cell number and address to the Investigating Officer.

F. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 26