



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

BAIL APPLICATION NO. 422 OF 2026

Gaurav Sanjay Sonawane @ Chaudhari,
Age : 29 years, Occu : Labour,
R/o : Navnath Nagar,
Behind Sathsang Hotel,
Nandurbar

... Applicant

VERSUS

The State of Maharashtra,
Through Nandurbar City Police Station

... Respondent

...
Advocate for Applicant : Ms. Rutuja L. Jakhade (Through V.C.)
A.P.P. for Respondent/State : Mr. C.V. Bhadane

CORAM : SHAILESH P. BRAHME, J.

DATE : 30.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking enlargement on bail in connection with Crime No.232 of 2024, registered with Nandurbar City Police Station, Dist. Nandurbar for the offences punishable under Section 302, 114, 323, 504, 201, 34 of the Indian Penal Code.

3. The applicant is arrested on 21.03.2024. Charge-sheet is filed on 17.06.2024.

4. It is reported to the Police by the informant (brother of deceased) that deceased Dhiraj left home on 20.03.2024 in the afternoon and did not come back. His phone was found to be unreachable. Later-on, it was reported that his dead body was found near Golden city premises at Nandurbar. On further enquiry, it revealed that applicant and co-accused committed his murder.

5. Learned counsel for the applicant submits that no incriminating material is found against the applicant. No material is available to support the last seen theory. The co-accused Gaurav Khedkar and Jaywant Patil are already released on bail. There no criminal antecedents and no recovery is found at the instance of the applicant.

6. Per contra, learned APP submits that the statement of the witness – Chetan recorded under section 183 of BNS, CCTV footage and statement of Amar would indicate that applicant and others conspired to commit murder. Applicant was last found in the company of deceased and the co-accused. The accused no. 4 – Gaurav Khedkar committed breach of the order enlarging him on bail. Application for Cancellation of Bail No. 28 of 2025, is pending before this Court.

7. The case is based upon circumstantial evidence. To complete the link, or showing culpability of the accused persons, reliance is placed on CCTV footage, statements of Chetan, Amar and spot *panchanama*. Pertinently, motive is attributed to accused no. 4 - Gaurav Khedkar. One Bhaidas who was his uncle was murdered by deceased Dhiraj and the revenge is sought to be taken by accused no. 4, in collusion with applicant and others.

8. Co-accused no. 3 – Jaywant Patil has been released on bail by the Sessions Court. Another co-accused no. 4 – Gaurav Khedkear is enlarged on bail by Co-ordinate Bench on 02.09.2025. The order reveals that applications preferred by present applicant and co-accused - Yash were withdrawn. The condition no. (a) incorporated in the order has been violated by co-accused Gaurav Khedkar. He was enlarged on bail by this Court and immediately, on 12.10.2024, he assaulted informant Krishna, by weapon. CR No. 161 of 2024 is lodged on 13.12.2024. The respondent has preferred Application for Cancellation of Bail No. 28 of 2025, which is pending before this Court.

9. Apparently, it is an abuse of the liberty on part of the accused no. 4. He has motive to eliminate Dhiraj. This Court is constrained to observe against accused no. 4. Learned APP has submitted that there is likelihood of similar type of abuse, if bail is granted to the present applicant. The applicant can not be at par with the accused no. 4.

10. I have gone through the CCTV footage which shows that applicant and other co-accused consumed liquor at hotel Nil and they were there up to 04.30 pm. Accused no. 3 – Jaywant Patil was amongst them. My attention is adverted to statement of Amar which would disclose that one Chetan Bhoi dropped accused no. 2 – Yash, accused no. 3 – Jaywant and present applicant at the premises near Golden city. Another CCTV footage shows that Chetan Bhoi was in company of deceased and they are seen purchasing liquor.

11. The role attributed to applicant is similar to the role of applicant no. 3 – Jaywant Patil, who is released on bail by Sessions Court. In my view, applicant needs to be granted relief.

12. The spot *panchanama* shows that recovery of blood stained stones, bottles and the knife. Statement of Amar further indicates extra-judicial confession. It has little probative value. Its implication can be decided during the course of trial. Just because one of the accused, namely, Gaurav Khedkar committed breach of the orders, would not be a factor to deny bail to the applicant. No criminal antecedents are pitted against him. He is behind bars since 21.03.2024.

13. I, therefore, pass the following order :-

I] The Bail Application is allowed.

II] The applicant shall be released on bail in connection with Crime No.232 of 2024, registered with Nandurbar City Police Station, Dist. Nandurbar for the offences punishable under Section 302, 114, 323, 504, 201, 34 of the Indian Penal Code, on following conditions:

(a) The applicant shall furnish P.R. bond of Rs.50,000/- (Rs. Fifty Thousand only) with one solvent surety of like amount.

(b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

(c) The applicant shall furnish his mobile/cell number, and address to the investigating officer.

(d) Applicant shall not enter Nandurbar till final conclusion of the trial save and except attending the trial.

(e) Applicant shall surrender Adhaar / PAN Cards, if any, to the Investigating Officer.

(f) Applicant shall co-operate for expeditious disposal of the trial.

(SHAILESH P. BRAHME, J.)

arp/-