



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

41 BAIL APPLICATION NO. 481 OF 2026

Sharad Santosh Koli
Age – 21 years, Occ – Labour
R/o – Village Virwade,
Taluka – Chopda District - Jalgaon ... Applicant

VERSUS

1. The State of Maharashtra,
Through Superintendent of Police,
Jalgaon, Taluka & District - Jalgaon
2. The Investigation Officer of
Chopda City Police Station,
Taluka – Chopda, District – Jalgaon ... Respondents

**WITH
BAIL APPLICATION NO. 2115 OF 2025**

Pintu @ Arun Govinda Koli,
Age : 34 years, Occu. Labour
R/o. Virvade, Tq. Chopda,
Dist. Jalgaon ... Applicant

Versus

The State of Maharashtra,
Through the Investigation Officer,
Chopda City Police Station,
Chopda, Taluka – Chopda,
District – Jalgaon ... Respondent

...
Advocate for Applicant : Mr. Jitendra V. Patil (481/2026)
Advocate for applicant : Ms. Rani K. Agrawal (2115/2025)
A.P.P. for Respondent/State : Mr. S.V. Hange

CORAM : SHAILESH P. BRAHME, J.

DATE : 07.04.2026

PER COURT :

Heard both sides.

2. The applicants are seeking regular bail in connection with Crime No.639 of 2024, registered with Chopda City Police Station, Dist. Jalgaon for the offences punishable under Section 103(1), 3(5) of Bharatiya Nyaya Sanhita, 2023.
3. They are behind bars since 29.12.2024. Charge-sheet is filed on 25.03.2025.
4. It is reported that informant's son Dada and accused persons were friends and they were from the same village. It's a grudge that Dada leaked the holding of liquor parties. Dada was taken with them in the evening of 27.12.2024. He returned at about 8.00 pm in a frightened condition and disclosed to have been assaulted by Dinesh, Arun and Sharad. It is alleged that Dinesh assaulted him by wooden log and he was taken to hospital and during treatment, he succumbed to the injuries on 28.12.2024.
5. Learned counsels appearing for the applicants submit that major injury which is proved to be fatal is inflicted by accused no. 1 – Dinesh by wooden log. No serious role is attributable to applicants. Account of the eye witnesses do not attribute assault by applicants on vital part of the body or by weapon. There was no intention to commit murder.
6. Learned APP repels the submissions stating that both the applicants were present at the relevant time and participated in the assault. There was motive to commit murder of Dada. Statement of eye witnesses and statements under section 183 would disclose involvement of the applicants.
7. FIR, statements of Harish, Santosh and Vasant would disclose that there was assault on deceased by accused persons. He was assaulted on head by wooden log by accused – Dinesh who is not before the Court. No specific role has been attributable to Sharad and Arun, present applicants. Statement of Anup does not tell different story. There is no material to infer that there was any motive or *mens rea* to eliminate the deceased.
8. The inquest panchanama and post-mortem report shows that death was due to the head injury. It was caused by accused no.1 – Dinesh.

9. The probative value of the statements under section 183 can be tested during the course of trial. There is no point and purpose in keeping the applicants behind bars. The incarceration is sufficient. No antecedents are reported against them.

10. Hence, I pass the following order :-

ORDER

I) The Bail Applications are allowed.

II) The applicants shall be released on bail in connection with Crime No. 639 of 2024, registered with Chopda City Police Station, Dist. Jalgaon for the offences punishable under Section 103(1), 3(5) of Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicants shall furnish P.R. bond of Rs.25,000/- (Rs. Twenty Five Thousand only) each with one solvent surety each of like amount.

(b) The applicants shall not enter village Virwade, Taluka – Chopda, District – Jalgaon till conclusion of the trial.

(c) The applicants shall surrender their Adhaar and PAN Cards to the Investigating Officer.

(d) The applicants shall not tamper with prosecution evidence or contact with the prosecution witnesses.

(e) The applicants shall co-operate for expeditious disposal of the trial.

(SHAILESH P. BRAHME, J.)

arp/-