



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 520 OF 2026

Bablu s/o Tukaram Bhil,
Age 25 years, Occ. Agriculture,
R/o. Godkhel, Tq. Jamner,
Dist. Jalgaon

... Applicant

VERSUS

The State of Maharashtra,
Through Police Station Officer,
Police Station Jamner, Dist.
Jalgaon.

... Respondent.

...

Advocate for Applicant : Mr. Amit A. Tandulkar
Addl.PP. for Respondent/State : Mr. A.R. Kale

CORAM : SHAILESH P BRAHME, J.

DATE : 23.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 284/2025, registered with Jamner Police Station, District Jalgaon, for the offences punishable under Sections 109(1), 352, 103(1), 115 of Bharatiya Nyaya Sanhita, 2023.

3. The applicant is arrested on 09.08.2025. Charge-sheet is filed on 13.10.2025.

4. It is alleged that quarrel took place on 05.08.2025 at about 7 p.m. at Gondkhel Tq. Jamner, wherein nephew of the informant Firoj was attacked and abused by applicant, his father and brother. Informant's father Raheman and his brother Ramdhan tried to pacify the members. The

accused retaliated with abuses due to ill intention of the victim towards womenfolk of the accused. Informant is alleged to have been assaulted by Namdeo by iron rod and applicant is said to have assaulted by iron rod on 2-3 times on the head of father Raheman. Co-accused Santosh is also stated to have assaulted them and Firoj. Informant's father was taken to the hospital and he succumbed to the injuries after 14 days.

5. Learned counsel for the applicant submits that the age of the deceased was 79 years and he did not die within close proximity of the incident. He was hospitalized, operated and due to complications succumbed. His death cannot be said to be outcome of the attack but it was due to septicemia or the side effect of the subject. The co-accused are already released on bail and further detention is not required. My attention is adverted to the injuries recorded in column no. 19 of the postmortem report.

6. Learned A.P.P. repeals submissions on the ground that there are eye witnesses namely informant, Firoj, Sabina, Reshma, Saguna, whose statements are consistent. There was motive and accused had come with preparation and immediately started assaulting the victims.

7. The motive is spelt out in the F.I.R. itself, which is further fortified by the statements of the witnesses Reshma, Firoj. Eye witnesses consistently state that applicant Bablu was having iron rod and he inflicted 2-3 blows on head of the deceased. There is no reason to disbelieve the eye witnesses.

8. The supplementary statement of Shahbaj Khan shows that his father died on 19.08.2025. Postmortem report shows that there are injuries on head. A surgery is shown to have been undertaken. Sub-dural hematoma noted and formation of pus. The Septicemia due to intracranial abscess following head injury, is the cause of death reported. There is sign of septicemia, but for the head injury, *prima facie*, the applicant is liable. It would be matter of trial to come to conclusion as to whether it is a homicidal death amounting to murder or not.

9. M.L.C. certificates of informant Shahabaj and witness Ramdhan, Raheman would also indicate corresponding injuries and corroborate the prosecution theory.

10. I find *prima facie* material against the applicant. No case is made out to grant any relief. Bail Application is rejected.

(SHAILESH P. BRAHME, J.)

mkd/-