



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 534 OF 2026

SUNIL ALIAS PINTU ASHOK PATIL
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Sabnis Ameya N. a/w Mr. Pranav
Dhakne.

APP for Respondent/s-State : Mr. G. O. Wattamwar.

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WITH

BAIL APPLICATION NO. 583 OF 2026

BABAN SHANKAR SONAWANE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Reddy Ajinkya.
APP for Respondent/s-State : Mr. G. O. Wattamwar.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 10.04.2026

FINAL ORDER :-

1. Heard both sides.
2. The applicants are seeking bail in respect of offence bearing Crime No.546 of 2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 103(1), 137(2), 3(5) of Bhartiya Nyaya Sanhita.

3. A report is lodged with the police by cousin of deceased Hanmant that wife of Hanmant was having extra marital relations with applicant Sunil who was residing of Janapur. There used to be quarrel on that account between the couple. Informant was informed that on 27.08.2025 while going to the dispensary through auto, Hanmant was being abducted by three persons and taken to the unknown place where he was assaulted. Lateron, it revealed that the assault was at the instance of none other than Hanmant's wife Pooja and the applicant Sunil so as to eliminate him.

4. Applicant Sunil was arrested on 28.08.2025 and Baban was arrested on 29.08.2025. Applicant is alleged to be the paramour of co-accused Pooja. Another applicant Baban is the auto rickshaw driver who participated in the assault.

5. Learned counsels appearing for the applicants submits that there is no direct evidence against them. Informant received account of assault from minor daughter of the deceased. Her statement is tutored and unreliable. The statement of Usha is also objectionable. The investigation is over and there are no antecedents.

6. Per contra, learned APP submits that applicant Sunil is the main conspirator and mastermind, who is paramour of co-

accused Pooja. The mobile of the deceased was recovered from applicant Baban, similarly four sticks and necklace were recovered from the spot of the incident. CDR and SDR would indicate the coordination of the accused persons. The CCTV footage collected during investigation would disclose abduction. There are multiple injuries found on the person of the deceased.

7. It reveals from the papers of the investigation that the relationship between the deceased and co-accused Pooja was strained. The statements of Ramesh and Kasturbai indicate that after bringing injured Hanmant to home he was in talking condition and could have disclosed the names of the persons behind assault. But their statements are silent.

8. The reliance is placed on the statement of minor recorded under Section 183 of B.N.S. She attributed motive and overt act to the applicants and co-accused Pooja. It is difficult to gather as to how she learnt that her mother had instigated other co-accused to assault Hanmant. *Prima facie* her statement appears to be tutored and unreliable.

9. There is no direct evidence against the applicants. The presence of the applicant Sunil at the relevant time is doubtful. The material on record raises suspicion about the conduct of

the accused but that is not sufficient. It is quiet unnatural for the minor witness not to disclose any disputes between the couples on the issue of extra marital relations, when she categorically narrates the plan hatched by her mother.

10. The recovery of the sticks and the injuries on the person of the deceased would not *ipso facto* connect the applicants to the crime. The CDR and SDR reports are supporting the prosecution. The post mortem report shows from column No.21 that the contents of the stomach was smelling alcohol. The deceased appears to have been drunk at the relevant time. These aspects need to be tested during trial.

11. The applicants are behind bars since August 2025. The investigation is over. Their further incarceration is unwanted. I, therefore, pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicants **SUNIL ALIAS PINTU ASHOK PATIL** and **BABAN SHANKAR SONAWANE** shall be released on bail in Crime No.546 of 2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 103(1),

137(2), 3(5) of Bhartiya Nyaya Sanhita on furnishing P. R. bond of Rs.40,000/- (Rupees forty thousands only) each with one solvent surety of like amount each on the following conditions :

- (a) The applicants shall not contact the prosecution witnesses and tamper the prosecution evidence.
 - (b) The applicants shall not enter Udgir Taluka till conclusion of the trial, save and except for attending dates of the trial.
 - (c) The applicants shall attend each and every date of the trial till conclusion of the trial.
 - (d) The applicants shall surrender Aadhar Card and PAN Card, if any.
 - (e) The applicants shall co-operate for expeditious disposal of the trial.
- (iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-