



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

**BAIL APPLICATION NO. 538 OF 2026**

**ROHIT BUDDUSING SHILOO  
VERSUS  
THE STATE OF MAHARASHTRA**

...  
Advocate for Applicant : Ms. Agrawal Rani Kailas.  
APP for Respondent/s-State : Mr. C. V. Bhadane.  
...

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 30.04.2026**

**PER COURT :-**

1. Heard both sides.
2. The applicant is seeking bail in respect of offence bearing Crime No.222 of 2025, registered with Amalner Police Station, District Jalgaon, for the offences punishable under Sections 103(1), 109, 189(2), 190, 191(2), 191(3), 3(5), 352, 351(2), 115(2), 118(1), 118(2), 117(2) of Bharatiya Nyaya Sanhita.
3. Applicant is arrested on 09.06.2025. Charge-sheet is filed on 03.09.2025.
4. It is reported by the brother of the deceased that Kailash Prajapati used to procure labours from various places including Madhya Pradesh for laying down the electricity cable. His work

was going on at Patonda, Taluka Amalner. Few of the labours were already staying at the place in the godown. It is reported that on 29.05.2025, at about 8.00 to 8.30 p.m. Kailash was sleeping amongst the labours and suddenly the accused persons started demanding Rs.40,000/- to him. It was not possible for him at that moment to make the payment. It is alleged that he was being assaulted by earthing pipe, iron rod and applicant was also amongst them. Some labours like Ramesh, Ashok, Gendalal and Durgesh intervened and the assailants ran away from the place. He was shifted to hospital. Lateron, he succumbed to the injuries.

5. Learned counsel for the applicant submits that there is delay in lodging FIR. The statements of the witnesses Kallu Thakur and Pawan Kumar were recorded belatedly which creates a doubt. The prosecution story has not been corroborated by the witnesses. No specific role is attributed to the applicant Rohit. The main perpetrators were some other persons. There was no motive or *mens rea* for the applicant to eliminate Kailash. Applicant is falsely implicated in the offence.

6. Per contra, learned APP submits that there are eye witnesses namely Kallu, Ramesh, Ashok, Gendalal, who are consistent and their statements support the prosecution case.

The involvement of the applicant is apparent and he was holding pipe for assaulting the deceased. The supplementary statements are also incriminating. Kailash is reported to have receive 17 injuries on the vital part of the body.

7. First Information Report shows that the informant was not present at the relevant time, but he was related the incident. No specific role has been attributed to the applicant in the report. The statement of the witnesses namely Kallu, Durgesh, Ramesh, Ashok and Gendalal would indicate that they were eye witnesses. The motive was extortion for Rs.40,000/-.

8. The statements of the witnesses who were present at the relevant time would indicate that applicant was present at that time. Kailash was being assaulted mainly by Gopal Dhurve, Pankaj Shiloo, Salim Dhurve. Applicant cannot be said to be the main perpetrator, albeit he is attributed some role. The statement of Durgesh shows that applicant and others attempted to assault him. The investigation shows that applicant has a venial role in the incident in question.

9. The statement of Pawankumar, who was Supervisor was intimated about the incident in that night itself but he did not take any steps or reach the spot.

10. There are 17 injuries as can be seen from the Post Mortem Report. It would be matter of trial to examine as to the role of the applicant to cause the injuries. Considering overall circumstances, I find that further detention of the applicant is not required. No antecedents is reported against him. I, therefore, pass following order :

### **ORDER**

- (i) Bail Application is allowed.
- (ii) Applicant **ROHIT BUDDUSING SHILOO** shall be released on bail in Crime No.222 of 2025, registered with Amalner Police Station, District Jalgaon, for the offences punishable under Sections 103(1), 109, 189(2), 190, 191(2), 191(3), 3(5), 352, 351(2), 115(2), 118(1), 118(2), 117(2) of Bharatiya Nyaya Sanhita on furnishing P R. bond of Rs.30,000/- (Rupees thirty thousands only) with two solvent sureties of like amount, out of which one shall be from the local area on the following conditions :
  - (a) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

- (b) The applicant shall furnish his mobile/cell number and address to the Investigating Officer.
  - (c) The applicant shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.
  - (d) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.
- (iii) Bail application is disposed of accordingly.

**(SHAILESH P. BRAHME, J.)**

...

vmk/-