



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 548 OF 2026

1. ANKUSH SUBHASH CHAUDHARI
2. PRAVIN SUBHASH CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. More Abhijit S.
Addl. PP for Respondent/s-State : Mr. A. R. Kale.
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CORAM : SHAILESH P. BRAHME, J.
DATE : 15.04.2026

PER COURT :-

1. Heard both sides.
2. The applicants are seeking enlargement on bail in respect of offence bearing Crime No.234 of 2025, registered with Dharashiv City Police Station, District Dharashiv, for the offences punishable under Sections 103(2), 109(1), 118(1), 115(2), 351(1), 352, 3(5) of the Bhartiya Nyaya Sanhita.
3. It is reported to the police by one of the friends of deceased Maruti that on 08.05.2025 a quarrel took place in between deceased Maruti and the accused persons due to the ruckus over the children. It culminated into free fight and Maruti was assaulted by iron rod by Lahu and by wooden bamboo by applicant No.1 Ankush. He sustained injuries on

his head, legs and private part. The informant tried to intervene but he was also assaulted and threatened. Maruti succumbed to the injuries. In pursuance of the offence applicants were arrested on 11.05.2025. The charge-sheet is filed on 04.08.2025.

4. Learned counsel Mr. More for the applicants submits that the fight took place in a spur of moment. There was no preparation and *mesne rea* to commit murder of Maruti. Applicant No.2 Pravin has not been named in the First Information Report. The statements of the eye witnesses is inconsistent with the First Information Report. The supplementary statement is also inconsistent with the prosecution case. Applicants are claiming parity in view of enlargement of Kishor and Siddhanath on bail by the Co-ordinate Bench.

5. Learned Addl. PP would advert my attention to the injuries noticed during the post mortem. The applicants and others were armed with weapons and Maruti was assaulted on his head and on the private part. It is a premeditated offence committed by the accused. The eye witnesses are consistent with the prosecution theory. Supplementary statement of

Kishor and informant would show complicity of the applicants.

The weapons have been recovered from the accused persons.

6. The First Information Report and the material collected during the course of investigation do not show that there was rivalry between the deceased and the accused persons. On the fateful day, the cause of quarrel was interse disputes of the children. There is no material to suggest that the deceased was to be targeted and intended to be eliminated.

7. First Information Report shows that Maruti was assaulted by iron rod by Lahu Chaudhari. The allegations against applicant No.1 Ankush is in respect of assault by wooden stick. Co-accused Kishor is also alleged to have assaulted by iron rod on head. The supplementary statement of the informant spells out name of applicant No.2 Pravin for the first time.

8. The statement of Shivaji gives altogether different story. It refers to one Siddhanath Savant armed with wooden rod and applicant No.1 with scythe and stick. Siddhanath is alleged to have assaulted by scythe. The supplementary statement of the informant and statement of Shivaji are not consistent with the First Information Report. That creates doubt regarding the prosecution story.

9. The consistent incriminating role has been attributed to co-accused Kishor for having assaulted by iron rod on the head. The recovery of rod is at his instance. This Court has enlarged Kishor and Siddhanath on bail vide order dated 03.12.2025. It is not made clear from the information collected during investigation as to who was Lahu Chaudhari.

10. The incident in question does not show that there was any *mesne rea* to commit murder and preparedness. The quarrel took place and it culminated into free fight. No criminal antecedents are recorded against the applicants. They are behind bars since 11.05.2025 which is sufficient incarceration. For the reasons stated above, I am inclined to grant bail. I, therefore, pass the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Nos.1. **ANKUSH SUBHASH CHAUDHARI** and 2. **PRAVIN SUBHASH CHAUDHARI** shall be released on bail in Crime No.234 of 2025, registered with Dharashiv City Police Station, District Dharashiv, for the offences punishable under Sections 103(2), 109(1), 118(1), 115(2), 351(1), 352, 3(5) of the 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 stay away from Dharashiv district till conclusion of the trial and shall report their whereabouts and contact numbers to the Investigating Officer.
- (b) The applicants shall enter Dharashiv only for attending the dates of the trial.
- (c) The applicants shall not contact the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (d) The applicant shall co-operate for expeditious disposal of the trial.
- (e) The applicants shall surrender their Aadhar Card and PAN Card to the Investigating Officer.

(iii) Bail application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-