



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

BAIL APPLICATION NO. 565 OF 2026

Ganesh Narayan Dhage

.. Applicant

Versus

The State of Maharashtra

.. Respondent

Shri Gaurav D. Kakade, Advocate for the Applicant through V.C.
Mrs. P. V. Diggikar, A.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.

DATE : 10TH APRIL, 2026.

ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 344/2025 registered with Loha Police Station, Dist. Nanded for the offences punishable U/Sec. 103 of the Bhartiya Nyaya Sanhita.

2. It is reported by married daughter of the deceased Ahilyabai that deceased was staying alone at Pimpalgaon and cultivating the land. There was dispute over the properties between the deceased and the applicant, who is grandson. An attempt to eliminate the deceased was made previously. It is alleged that on 03.11.2025 information was received by the informant on telephone that her mother was found unconscious and bleeding in the field. The informant reached the field and deceased was taken to the hospital, where she was declared to be

dead.

3. Learned counsel for the applicant submits that the case is based on circumstantial evidence. There is nothing on record to connect him with the crime. No motive or any theory of last seen together can be seen from the papers of the investigation. Applicant and his father conducted last rituals of the deceased. He is falsely implicated in the case.

4. Learned A. P. P. Mrs. Diggikar would submit that incriminating material is collected during the investigation. The supplementary statement of the informant as well as statements of Gangadhar Subhash Kote, Digambar Keshav Dhage and Vitthal Maruti Kadam would be supportive to the prosecution case. The inquest panchanama and the injuries noticed during the postmortem would indicate that she was being strangled by the applicant.

5. Papers of the investigation do not show that any direct evidence is there against the applicant. The statements of the witnesses do not show that the applicant was last seen in the company of the deceased. It has not been surfaced that there was any *mesn rea* to eliminate the grand-mother. Mere assertion of property dispute is not sufficient.

6. I have gone through the statement of the informant recorded U/Sec. 183 of the B. N. S. S. When it is stated that the

deceased was being strangled by the applicant, the source of this information should have been disclosed in the supplementary statement. Considering the first information report and the supplementary statement the rivalry between informant and the applicant is apparent. Mere suspicion would not take the place of proof to connect the applicant. The statement of the father of the applicant shows that last rites were performed by him.

7. I have gone through the statements of Gangadhar, Digambar and Vitthal. None of them had seen the applicant in the company of the deceased immediately preceding the incident. The postmortem report is the only material which shows that the cause of death was strangulation. The deceased is done away with during broad day light. The spot of the incident is surrounded by agricultural fields. It is difficult to conceive that it would have been possible for the applicant to strangle his grand-mother.

8. The applicant is arrested on 16.11.2025. Investigation is over. There is sufficient incarceration. He is entitled to bail. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Ganesh Narayan Dhage shall be released on

bail in respect of Cr. No. 344/2025 registered with Loha Police Station, Dist. Nanded for the offences punishable U/Sec. 103 of the Bhartiya Nyaya Sanhita on condition of furnishing P. R. bond and S. B. of Rs. 30,000/- (Rs. Thirty thousands only) with one solvent surety of like amount.

C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

D. The applicant shall cooperate in expeditious disposal of trial.

E. The applicant shall surrender his Aadhar and Pan cards to the investigating officer.

F. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26