



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

BAIL APPLICATION NO. 579 OF 2026

Dilip Bakaram Gavit,
Age : 39 Years, Occu. : Labour,
R/o Vadsatra, Tal. Navapur,
Dist. Nandurbar. .. Applicant

Versus

The State of Maharashtra .. Respondent

Ms. Rutuja L. Jakhade, Advocate for the Applicant.
Shri S. V. Hange, A.P.P. for the Respondent – State.

CORAM : SHAILESH P. BRAHME, J.
DATE : 24TH APRIL, 2026.

FINAL ORDER :

. Heard both sides.

2. The applicant is seeking regular bail in connection with Cr. No. 242/2024, registered with Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 302, 201 Indian Penal Code and under Section 3(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman Evil and Aghori Practices and Black Magic Act, 2013.

3. The applicant is arrested on 22.07.2025 in pursuance of the complaint lodged with the Police Station by Shantilal Fakira Kokani, who learnt from Ex-Sarpanch – Satish Gavali that a

beheaded dead body of a woman was found at the side of a dam at Palsun, Tq. Navapur. On visiting the spot, it was found that the dead body was rapped in a blue bag. The victim appeared to have been killed by sharp weapon by some unidentified person. The charge sheet is filed on 13.10.2025.

4. Learned counsel for the applicant submits that there is absolutely no material to connect the applicant to the crime. He is implicated on suspicion. There is no recovery against him. No material is collected to show any nexus of the applicant with the deceased. The allegations of black magic are absolutely unfounded.

5. Per contra, learned A. P. P. would vehemently oppose the submissions. The supplementary statement of the witness would disclose involvement of the applicant. He is said to have been participated in the black magic and instrumental in killing the victim. My attention is invived to the statements of Santosh Jaysing Gavali, Sakharam Janya Bhoye and Laxman Gomji Gavit. Further reliance is placed on statement of Somnath. Statement of Sakaharamm Bhoye. Statement of Sakharam Bhoye recorded U/Sec. 183 of the Bhartiya Nagarik Suraksha Sanhit (for the sake of brevity and convenience here inafter referred as to the "B. N. S. S.").

6. First information report is filed against unidentified person. The statements of the witnesses disclose that they learnt

about practise of black magic and victim was being suspected as witch (डाक्रीव). However, no clinching material is pointed out to connect the applicant to the assault on victim. He is implicated on the basis of suspicion.

7. The statement of Sakharam Bhoye recorded U/Sec. 183 of the Bhartiya Nagarik Suraksha Sanhita is inadmissible because he is arraigned as accused. No recovery is made at the instance of the applicant. There is no point in detaining the applicant in jail any further. No antecedents are recorded. I propose to release him on bail. I, therefore, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Dilip Bakaram Gavit shall be released on bail in respect of Cr. No. 242/2024, registered with Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 302, 201 Indian Penal Code and under Section 3(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman Evil and Aghori Practices and Black Magic Act, 2013 on condition of furnishing P. R. bond and S. B. of Rs. 15,000/- (Rs. Fifteen 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 co-operate in expeditious disposal of the trial.

E. The applicant shall surrender his Aadhar and Pan cards before the Investigating Officer.

F. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26