



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

BAIL APPLICATION NO. 580 OF 2026

Narsing Bhaurao Shinde,
Age : 60 Years, Occu. : Agril.,
R/o Karewadi, Tq. Loha,
Dist. Nanded. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Hanmant V. Patil, Advocate for the Applicant.
Shri C. V. Bhadane, A.P.P. for the Respondent – State.

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

FINAL ORDER :

. Heard both sides.

2. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 724/2025 registered with Ahmedpur Police Station, Dist. Latur for the offences punishable U/Sec. 103(1) and 238 of the Bhartiya Nyaya Sanhita.

3. He is arrested on 05.11.2025. The charge sheet is filed on 23.01.2026.

4. It is reported to police that informant was daughter of deceased Shivraj and sister of deceased Vishwanath. She was

informed at 7.00 am on 03.11.2025 that her father and brother had been to the agricultural field for night surveillance and they were found injured. After reaching the spot, they were found to be badly injured by sharp weapons. Thereafter, they were declared to be dead.

5. Learned counsel for the applicant submits that there is no direct material available against the applicant. On the basis of supplementary statement recorded on 08.11.2025 he is implicated, which is doubtful. The statements of witnesses are stereotype disclosing the motive of the transaction which took place 30 years back. There is no evidence to show that applicant would take a drastic step without there being any demur during the long span. His implication is said to be on the basis of suspicion.

6. The application is contested by the learned A. P. P. on the ground that two persons are murdered and the postmortem report shows deadlier assault. The injuries on deceased Vishwanath are six and eleven on the thigh of deceased Shivraj, which are on vital part of the body. Recovery of weapon is made. There is further recovery of cloths at the instance of co-accused. The statements of Shivanand Ramrao Shinde and Dashrath Baliram Kendre would make out a case for motive.

7. First information report does not spell out role of any accused muchless the applicant. In a supplementary statement

which is recorded after four days, it is stated that on 05.11.2025 informant learnt that applicant and co-accused were arrested and then it is stated that the land of the applicant was purchased by deceased Shivraj in the name of his sister from applicant which was said to be a mortgage transaction. The deceased is said to have been refusing to re-transfer the land to the applicant. Interestingly, the statement of Ashabai Bhalchandra Lavate and Haribai Shivraj Surnar are found to be stereotype. They also stated that after arrest of the applicant by police, the motive is disclosed.

8. I have gone through statements of Shivanand Shinde and Dasharath Kendre, who are stated to be independent witnesses for the motive. I find that the statements of witnesses would not be useful to connect the applicant to the offence. The transaction between applicant and the deceased Shivraj had taken place 30 years back. If the applicant was insisting for reconveyance of the land, then he would have persuaded and the family members would have noticed the persuasion or the harassment of the applicant in that regard. No material is coming forth to show that applicant resorted to drastic step of eliminating two persons. I find that it would be obligation on the prosecution to establish motive during the course of the trial.

9. The involvement of the applicant in the offence is doubtful. He is behind bars since 05.11.2025. I am inclined to grant relief to the applicant. I, therefore, pass following order.

O R D E R

- A. The bail application is allowed.
- B. Applicant – Narsing Bhaurao Shinde shall be released on bail in respect of Cr. No. 724/2025 registered with Ahmedpur Police Station, Dist. Latur for the offences punishable U/Sec. 103/1 and 238 of the Bhartiya Nyaya Sanhita on condition of furnishing P. R. bond and S. B. of Rs. 40,000/- (Rs. Forty 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. Applicant shall cooperate for 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