



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 628 OF 2026

Subodha Bhaskar Dehade,
Age 23 years, Occ. Education,
R/o. House No. L4, 5/5, Back side of
HDFC ATM, Ramnagar, N2, CIDCO,
Chh.Sambhajinagar.

... Applicant

VERSUS

The State of Maharashtra

... Respondent.

...

Advocate for Applicant : Mr. Jadhav Satej S.
A.P.P for Respondent/State : Mr. N. R. Dayma

CORAM : SHAILESH P BRAHME, J.
DATE : 22.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 419/2025, registered with Mukundwadi Police Station, District Chh.Sambhajinagar, for the offences punishable under Section 103(1), 61(2), 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. The applicant is behind bars since 21.10.2025. He is alleged to have been involved in offence committed on a day prior to the lodging of the F.I.R. The sister of the deceased Vipul reported to the police that she was informed by Ajay Wagh, friend of the deceased Vipul that on 21.10.2025 at about 130 a.m. both of them had been to Mukundwadi. They met applicant and Ashish Chothmal. There started dispute between applicant and deceased Vipul on some previous issues. Ashish armed with knife, is alleged to have assaulted Vipul near his left chest. Injured Vipul was shifted by Ajay and present applicant on applicant's motor cycle to

MGM Hospital.

4. Learned counsel for the applicant Mr. Satej Jadhav submits that the first information report, statement of the eye witnesses would unequivocally show that a solitary blow was given by Ashish and in fact the applicant carried the injured on his motor cycle to the hospital. The motive is attributed due to the statement of Mustaq Pathan, which is improbable. The postmortem report would also indicate that the solitary injury by knife was inflicted. Its resulted into death. Applicant had no *mens rea* or any reason or he was not armed with any weapon. He is falsely implicated in the case of previous rivalry.

5. Learned A.P.P. submits that the motive can be made out from the papers of investigation specially statement of Mustaq Pathan and Sunil. The involvement of the applicant is apparent and since inception he had grudge against the deceased. The CCTV transcript and statement of Kunal would further corroborate the prosecution theory. Applicant did not intervene to prevent Ashish from inflicting any blow, though he had such occasion which indicates intention and preparedness.

6. First information report and the statements of witnesses unequivocally indicate two relevant factors; firstly, the co-accused Ashish is the author of stab injury by knife on the person of the deceased, and secondly, it is the applicant and Ajay who carried the injured on motor cycle of the applicant to the hospital.

7. I have gone through postmortem report. In column No. 17 there are three injuries, out of them injury no. 2 is the stab injury. Other injuries are of abrasion on the non vital part of the body. The stab injury can be said to have been caused by co-accused Ashish. The conduct of the applicant in carrying the injured immediately to the hospital with the help of Ajay is significant.

8. From the papers of the investigation, it is very difficult to gather any motive or *mens rea* for the applicant to eliminate Vipul. Their might be some controversy between them but at the relevant time applicant was not carrying any weapon. If the applicant had *mens rea*, then he would have attacked Vipul or he might not have carried him to the hospital.

9. The statement of Mustaq and Kunal are not sufficient to make out the *mens rea*. The applicant is behind bars since 21.10.2025. Investigation is over. Two antecedents are reported against him. He is entitled to be released on bail.

10. The Bail Application is allowed.

11. The applicant **Subodha Bhaskar Dehade** shall be released on bail in connection with Crime No. 419/2025, registered with Mukundwadi Police Station, District Chh.Sambhajinagar, for the offences punishable under Section 103(1), 61(2), 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicant shall furnish P.R. bond of Rs. 50,000/- (Rs. Fifty Thousand only) with one solvent surety of like amount.

(b) The applicant, his relatives, or any body on behalf of him shall not tamper with prosecution evidence or contact with the prosecution witnesses.

(c) The applicant shall furnish his mobile/cell number and address to the investigating officer.

(d) The applicant shall not enter area of Karmad, Mukundwadi, N2, N4, CIDCO, at Chh.Sambhajinagar till conclusion of the trial.

12. Bail application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-