



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 BAIL APPLICATION NO. 647 OF 2026

Anand s/o Ishwar Dhaware,
Age 20 years, Occ. Education,
R/o. Bavachi, Tq Renapur, Dist.Latur. ... **Applicant**

VERSUS

The State of Maharashtra,
Through the Police Officer,
Police Station Shivaji Nagar,
Latur, Tq. & Dist. Latur. ... **Respondent**

...
Advocate for Applicant : Mr. P P More
Addl.PP for Respondent/State : Mr. A.R. Kale

CORAM : **SHAILESH P BRAHME, J.**

DATE : **24.04.2026**

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 424/2025, registered with Shivajinagar Police Station, District Latur, for the offences punishable under Sections 109 (1), 189(2), 189(4), 190, 191(3), 324(4), 352, 351(3) of Bharatiya Nyaya Sanhita, 2023.

3. It is reported to the police that informant had encounter with the co-accused Vishnu on 22.10.2025 on count of giving cut to his vehicle. He was being threatened by the co-accused. On the fateful day i.e. 26.10.2025 at 9.30 p.m. informant was called to meet him at a particular place. The co-accused Vishnu was armed with wooden log, Imran was having iron rod and present applicant was having stone in his hand. Other co-accused were also

present. The informant was being attacked by Vishnu. When deceased Sanjot was trying to settle the quarrel, he was being assaulted by iron rod by Imran. The applicant is alleged to have assaulted him by stone. Other accused also assaulted the victim.

4. Applicant is arrested on 24.11.2025. The charge-sheet is filed on 02.01.2026. In this backdrop learned counsel Mr. More submits that applicant is entitled to bail on the ground of parity as this Court has already granted bail to co-accused Vishnu. Applicant is said to have only armed with stone. But the co-accused were armed with stick and iron rod and the fatal injury cannot be attributed to the applicant. There is no clinching material to show that due to the alleged assault of the applicant, Sanjot succumbed to the injuries. It is not made clear from the papers of the investigation as to which is fatal assault on Sanjot. Injuries on informant are not serious. There was no *mens rea* to commit murder.

5. Per contra, learned A.P.P would submit that a specific role is attributed in the first information report. It is further corroborated by statement under Section 183. The statement of deceased Sanjot, who is the injured victim, is also relevant and attribute incriminating overt act. The statement of Parmeshwar is an independent witness and supports the prosecution case.

6. First information report and the statements of the witnesses indicate that applicant was armed with stone and he smashed it on head of Sanjot. Co-accused Vishnu, Imran are also assailant and they were armed with wooden log and iron rod. The statement of the informant under Section 183 shows that Sanjot was assaulted by Imran by iron rod.

7. This court had an occasion to consider bail application of Vishnu, who was enlarged on bail vide order dated 25.03.2026. Vishnu is alleged to have assaulted by wooden log. The applicant was having a stone. It would be matter of trial to decide as to which grievous injury was fatal and the author. At this stage, it is difficult to conclude that applicant is responsible

for causing fatal injuries.

8. I have gone through Medico Legal Certificate of Sanjot which indicates two injuries. One is simple and another is grievous. It was on frontal bone on scalp. It is described to be displaced fracture. It is difficult to infer that the grievous injury is caused by the stone, at this stage of the proceedings. The investigation is over and further incarceration is not required. But stringent condition needs to be imposed on the application.

9. The Bail Application is allowed.

10. The applicant **Anand s/o Ishwar Dhaware** shall be released on bail in connection with Crime No. 424/2025, registered with Shivajinagar Police Station, District Latur, for the offences punishable under Sections 109 (1), 189(2), 189(4), 190, 191(3), 324(4), 352, 351(3) of Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicant shall furnish P.R. bond of Rs. 1,00,000/- (Rs. One lakh only) with one solvent surety of like amount.

(b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

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

(d) The applicant shall stay out side of entire Latur District till conclusion of the trial, save and except for attending the trial.

(e) The applicant shall surrender his Aadhar Card and PAN card to the investigating officer.

(f) The applicant shall cooperate for expeditious disposal of the trial

11. Bail application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-