



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 648 OF 2026

Manthan s/o Chandrakant Mamadge,
Age 21 years, Occ. Nil.
R/o. Opposite Shriram Vidhyalaya
Renapur, Tq. Renapur, Dist. Latur. ... Applicant

VERSUS

The State of Maharashtra,
Through investigating officer
Shivaji Nagar Police Station,
Tq. & Dist. Latur. ... Respondent.

...
Advocate for Applicant : Mr. Shinde Dhananjay M.
A.P.P. for Respondent/State : Mrs. P. V. Diggikar

CORAM : SHAILESH P. BRAHME, J.

DATE : 28.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 367/2025, registered with Shivaji Nagar Police Station, District Latur, for the offences punishable under Sections 103(1), 109(1), 126(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. The applicant is relying on the order passed by this Court in Bail Application No. 281/2026 enlarging Vaibhav Kumar Swami on bail. It is further brought to my notice that another co-accused Shubham has also been granted bail by this Court.

4. The applicant is arrested on 22.09.2025. Charge-sheet is filed on 15.12.2025.

5. It is contended that it is a case of road rage. No incriminating material is found against the applicant. The role attributed to accused no. 1 Vishnu is totally different, who was holding knife and who is alleged to have inflicted blow on the deceased as well as his girl friend. No criminal antecedents are reported against the applicant. In the absence of any motive or *mens rea*, the involvement of the applicant is suspicious.

6. Per contra, learned A.P.P. submits that the involvement of the applicant can be made out from the F.I.R. as well as supplementary statement of the informant. The test identification parade supports the prosecution case. The statement of injured eye witness Sonali supports the theory of the prosecution. The applicant was present at the time of the incident and facilitated the accused no. 1 to inflict fatal blows on vital part of the body of the deceased.

7. The first information report is lodged spelling out overt act against unidentified persons. It reveals that it was a road rage and vehicle of the informant, in which deceased and his friend were travelling, was intercepted at midnight hours and there was quarrel on count of giving cut. The statement of Shubham was recorded but later on he is arraying as accused. Therefore its contents are not admissible.

8. I have gone through order passed by this Court on 30.03.2026 enlarging Vaibhav Kumar Swami on bail. Another co-accused Shubham has also been enlarged on bail. The papers of investigation do not show specific role attributable to the applicant. His presence is also doubtful.

9. The supplementary statement and implication of the test identification parade can be gone into during the course of trial. No criminal antecedents are reported against applicant. No motive or *mens rea* can be made out from the papers of investigation. The accused persons are stranger to the deceased and his friend. In that view of the matter, further incarceration is not required. I, therefore, pass following order:

10. The Bail Application is allowed.

11. The applicant **Manthan s/o Chandrakant Mamadge** shall be released on bail in connection with Crime No. 367/2025, registered with Shivaji Nagar Police Station, District Latur, for the offences punishable under Sections 103(1), 109(1), 126(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023 on following conditions:

- (a) The applicant shall furnish P.R. bond of Rs. 30,000/- (Rs. Thirty Thousand 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 and address to the investigating officer.
- (d) The applicant shall surrender his Aadhar Card and PAN card to the investigating officer.
- (e) The applicant shall co-operate the investigating officer, if any further information is required.

(SHAILESH P. BRAHME, J.)

mkd/-