

**Criminal Bail Application
in Sessions Case No. 1/2024
Parashram Devrao Aamle + 1
Vs.
State of Maharashtra
(CNR NO. MHBU20-000004-20234)**

ORDER BELOW EXH. 16
(Passed on this the 29th Day of July, 2025)

01] Applicant - **Parashram Devrao Aamle** has filed bail application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with crime No. 268/2023 registered with Police Station, Lonar for the offence punishable under Sections 302, 201 r/w 34 of the Indian Penal Code, 1860.

02] It is the case of prosecution that in between 31.08.2023 to 01.09.2023 accused No. 1 Parashram Aamle committed murder of his wife by means of axe on account of suspicious on her character. Accused Parashram called his cousin brother Maroti. In order to screening dead body of Surekha Parashram Aamle, they took it inside the forest. Accused No. 1 Parashram gave information of the incident to Police Patil Shivaji Aananda Sangale. On that information, informant Shivaji Sangale lodged report at Police Station, Lonar.

03] In support of the application, the learned counsel Mrs. A. V. Deshmukh vehemently argued that applicant has no way concern with the commission of murder of deceased Surekha. She further submitted that applicant is arrested on 02.09.2023 and now

he is languishing in jail. Investigation in this crime is completed and charge-sheet has been filed before this Court, therefore, physical custody of the applicant is unwarranted. She further submitted that shirt of the applicant was not seized. There is no blood stains on seized clothes and axe. Seizure panchanama discloses blood stains on the handle of axe, which was alleged to be washed out. She further submitted that case of the prosecution is based on circumstantial evidence and therefore, there is no direct evidence to show that applicant has committed murder of his wife. She further submitted that as per prosecution's case applicant has killed his wife on suspicious on her character, but possibility of committing murder of the wife of applicant by unknown person or her paramour cannot be ruled out. She further submitted that the prosecution did not collect evidence in respect of extra marital relation between deceased and other person. Therefore, link between the crime and the applicant is missing. She further submitted that entire story of the prosecution is suspicious and therefore, applicant is entitled to be released on bail.

04] Learned counsel for applicant further submitted that applicant is law abiding person and he has no criminal record. Since, trial would take sufficient time to reach at conclusion and the applicant is ready and abide himself with any condition of bail order, his bail application deserves to be allowed on certain condition. Hence, learned counsel prayed to release the applicant on grant of bail.

05] Per contra learned A.P.P. Mrs. R. A. Alsi strongly opposed bail application relying on the say of Investigating Officer. She submitted that there is motive behind the commission of murder and the applicant has killed his wife on suspecting her character. She further submitted that prima-facie case is made-out against the applicant. She further submitted that an offence of murder is serious in nature and therefore, applicant may tamper or hamper to prosecution's evidence and the applicant may flee from justice. On these grounds, learned A.P.P. prayed to reject the bail application.

06] In the light of rival submission of either side and pursuant to case papers, F.I.R., spot panchanama, statement of witnesses and extra judicial confession of accused Parashram, it appears that on account of suspicious on the character of Surekha, applicant / accused No. 1 Parashram killed her by using an axe. At the instance of statement of accused / applicant axe was seized. Postmortem report of deceased Surekha goes to show that she was died due to head injury in decomposed body. Statement, supplementary statement of prosecution witnesses goes to show that the accused/ applicant killed his wife on suspecting her character and therefore, prima-facie there is motive behind the commission of crime. Consequently, prima-facie case of murder is made out against the applicant/ accused.

07] The offence of murder is serious in nature and no one has right to take life of others. The offence of murder is punishable

with death of life imprisonment. On previous date charge was framed against the accused/ applicant and the trial will commence soon. In such a circumstance, if the applicant is released on bail, he may tamper to prosecution witnesses. As such if the applicant is released on bail, he may flee from justice as well. Hence, considering facts and circumstances of the case, punishment prescribed for the offence registered against the applicant, his bail application is liable to be rejected. With this, I proceed to pass following order.

- O R D E R -

Regular Bail Application (Exh. 16) is rejected.

(Dictated and pronounced in open court).

Place: Mehkar
Date : 29.07.2025

(Sagar K. Mungilwar)
Additional Sessions Judge
Mehkar, Dist. Buldhana

CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are correct word to word as per the original.

Name of Court : Shri. Sagar K. Mungilwar
Additional Sessions Judge, Mehkar,
Dist. Buldhana.

Name of Steno : Shaikh Imran Abdul Rauf,
Stenographer, Grade-1, Mehkar.

Date : 29.07.2025