

**IN THE COURT OF SPECIAL JUDGE, BARAMATI**  
**DISTRICT PUNE**

**(Presided Over by Smt.Surekha R Patil)**

**CNR No.MHPU-1400-0253-2026**



**Sanskar Abaso Patole**

**V/s.**

**State of Maharashtra**

**ORDER BELOW EXH. 1**

The applicant/accused **Sanskar Abaso Patole** has filed this second application for grant of **bail U/Sec.483** of **Bharatiya Nagarik Suraksha Sanhita (Here in after, in short, B.N.S.S. 2023)** in connection with C.R.No.690/2025 for the offences punishable U/Sec. 103(1), 238 r/w. 3(5) of Bharatiya Nyaya Sanhita (here-in-after in short 'BNS'), registered at Daund Police Station, Tal.Daund, Dist.Pune.

**2] Brief facts of the prosecution case are: -**

The informant P.M.Bidri in this case is PSI attached to Daund police station. According to him, 02/05/2025 at about 07:30 pm deceased Dattatray @ Abaso Manik Patole was found dead and his death was informed to police station. So, the dead body of deceased was sent to Sub-District Hospital, Daund for post mortem. API Nagnath Patil visited Sub-District Hospital, Daund and prepared inquest panchanama of deceased in presence of panch witnesses. On inspection of body of deceased, he found 10 injuries on the person of deceased. After post mortem, medical officer has opined

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cause of death due to '*intracranial haemorrhage due to # 2) Parieto - occipital bone due to trauma. However, visera preserved for final opinion*'.

**3]**            In the mean time, on 03/05/2025 one Vishal Manik Patole has reported death of Dattatray @ Abaso Manik Patole. On the basis of his report, A.D.No.56/2025 came to be registered U/Sec.194 of Bharatiya Nagarik Suraksha Sanhita, 2023 and handed over to the informant for inquiry. So, the informant has held inquiry about death of Dattatray @ Abaso Patole. During inquiry, he came to know that on 02/05/2025 at about 03:00 pm deceased returned back to home from his field by consuming liquor and started quarreling with his wife i.e. accused No.2. At that time, accused No.1, who is son of deceased, tried to pacify the quarrel. According to both accused, thereafter, deceased went to field and has consume poison and committed suicide.

**4]**            But, from the injuries found on the body of deceased and opinion given by medical officer, who conducted post mortem of deceased, also from the statement given by witnesses, the informant came to know that, both accused persons have beat deceased in their field, forcefully given poison to him, thereafter, they brought him to home, remove his clothes and bathed him, give salt water to omit the poison. Thereafter, after one hour, both accused took deceased to Dr.Pimple in their village. Then, he has been taken to Kolhe hospital, Daund. So, the informant realized that both accused persons have committed murder of the

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deceased and have tried to disappear the evidence against them. So, he lodged report against accused persons.

**5]**            On the basis of his report, crime vide C.R. No. 690/2025 for the offences punishable U/Sec.103(1), 238 r/w. 3(5) of BNS, came to be registered on 05/11/2025 at Daund Police Station, Tal.Daund, Dist. Pune against the accused. The accused/applicant has been arrested on 05/11/2025 and remanded to judicial custody on 11/11/2025. Now he is in judicial custody. Hence, he has moved this application for bail.

**6]**            Ld. APP & Investigating officer have filed their reply, contested the application and prayed for it's rejection.

**7]**            It is submission of Ld. Advocate for the accused/applicant that, the accused/applicant has been arrested on 05/11/2025. Since 11/11/2026 he is in judicial custody. Investigation is over. Investigating officer has filed charge-sheet against both accused persons. Custodial part of investigation is over. There is unexplained delay in filing FIR. The accused/applicant has involved in this case only on the ground of suspicion. He is having landed properties at his native. Therefore, there is no possibility of his fleeing. He is only male member in his family. The Hon'ble High Court has granted to anticipatory bail to accused No.2. Role of the accused/applicant and the role of accused No.2 is same. Investigating officer failed to collect material showing

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involvement of the accused/applicant in this case. So, on the ground of parity as well as on merit, the accused/applicant is entitled for bail.

**8]**            On the other hand, it is submission of the Ld. APP that, initially suicidal death of deceased Dattatray @ Abaso Patole reported to police station on that basis A.D. No.56/2025 came to be registered. But, after receiving post mortem report and cause of death as well as the injuries on the person of deceased, inquiry has been conducted by the informant to trace out reason behind cause of death. In that inquiry, he came to know that both accused persons have committed murder of deceased Dattatray @ Abaso Patole. During interrogation, the accused/applicant has shown the place where they have set fire the stick and clothes used for commission of offence. The accused/applicant has committed murder of his own father. Both accused have concealed this fact. So, there is delay in filing FIR. Only after inquiry, the informant has found involvement of both accused persons in commission of murder of deceased Dattatray @ Abaso Patole. Investigation is in progress. Offence committed by the accused/applicant is serious. Punishment provided for the offence is up to life imprisonment or death. So, he is not entitled to get bail.

**9]**            Perused material placed on record. As pointed out by Ld. Advocate for the accused/applicant, there is delay in filing FIR. But, admittedly, initially on the basis of the information given by Vishal Manik Patole about death of deceased Dattatray @ Abaso Patole, A.D.No.

56/2025 come to be registered. But admittedly, while preparing inquest panchanama API Nagnath Patil has found Ten injuries on the persons of deceased Dattatray @ Abaso Patole. So also, medical officer who conducted post mortem of deceased has opined that, cause of death is due to '*intracranial haemorrhage due to # 2) Parieto - occipital bone due to trauma. However, visera preserved for final opinion*'. So, on this basis the informant has conducted inquiry wherein he found that both accused persons have involved in this offence they beat him and have committed murder of deceased Dattatray @ Abaso Patole. Thus, even though there is no direct evidence, the material placed by Investigating officer on record is prima facie sufficient to show involvement of the accused/applicant behind commission of present offence. So also, the statement of witnesses and other material placed on record shows that, there is prima facie evidence about motive and intention of accused persons to kill deceased Dattatray @ Abaso Patole.

**10]** As pointed out by Ld.APP, the material placed on record shows that, after committing murder, accused persons have disappeared the evidence against them. Punishment provided for the offence committed by accused persons is life imprisonment or death. Investigation is in progress. There is possibility of tampering of evidence as well as inducement and pressure on the witnesses. Admittedly, this court has rejected bail application filed by the accused/applicant. There is no change in circumstance, so as to reconsider

