

Sess. Case No. 144/2025

CNR : MHPU140018432025

State of Maharashtra
(Through Baramati City Police Station)



Vs.

Lahu Rama Waykar

ORDER BELOW EXH.3
(Passed on : 16.01.2026)

1] This is an application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS') for grant of regular bail to the accused viz. Lahu Rama Waykar in respect of Crime No.179/2025, registered with Baramati City Police Station.

2] Perused application and reply thereon filed by the Ld. APP. Heard Ld. APP and Ld. Counsel for informant. Ld. Counsel for accused is absent though matter is repeatedly called out. Therefore, nothing was argued on behalf of accused.

3] It is the case of prosecution that accused committed murder of victim i.e. his wife viz. Sanjana @ Sanjivini Lahu Waykar.

4] Accused has submitted in his application that he is falsely implicated in the alleged offence on the basis of suspicion. The case of prosecution is based upon circumstantial evidence. There is no direct or independent witness to the incident. Accused was not present at the place of alleged incident. There is delay in lodging the FIR. The weapon of the alleged crime has already been recovered and therefore further custodial interrogation of the accused is not

necessary. The investigation is completed and charge-sheet is filed. Accused is permanent resident of Bandalwadi. He is in custody since 02.06.2025. There are no criminal antecedents. Moreover, if the accused is released on bail, he is ready to abide all the conditions imposed by the Court. Hence, it is prayed to release the accused on bail.

5] Per contra, Ld. APP submitted that the offence is serious in nature and punishment is upto life imprisonment. The deceased is the wife of the accused. The witnesses are the relatives of the accused. Therefore, if the accused is released on bail, he will tamper with the evidence of prosecution by pressurizing the witnesses. Furthermore, chances of his absconding cannot be ruled out. Hence, it is prayed to reject the application.

6] In *Prahlad Singh Bhati v. NCT of Delhi* reported in *MANU/SC/0193/2001* Hon'ble Apex Court laid down guiding principles regarding grant of bail :

(a) While granting bail the court has to keep in mind not only the nature of the accusations, but the severity of the punishment, if the accusation entails conviction and the nature of evidence in support of the accusations.

(b) Reasonable apprehensions of the witnesses being tampered with or the apprehension of there being a threat for the complainant should also weigh with the court in the matter of grant of bail.

(c) While it is not expected to have the entire evidence establishing the guilt of the Accused beyond reasonable doubt but there ought always to be a *prima facie* satisfaction of the court in support of the charge.

(d) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail, and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the Accused is entitled to an order of bail.

7] Accused is alleged to have committed murder of his wife. Perusal of charge-sheet shows the involvement of accused in the alleged offence. Offence is of serious in nature and *prima facie* there is ample evidence against the accused. Weapon of offence is seized from the possession of the accused. As such, considering the abovesaid facts and circumstances of the case as well as gravity of the offence, at this juncture it will not be just and proper to release the accused on bail. Hence, I pass the following order :

ORDER

Application is hereby rejected.

Baramati
Date : 16.01.2026

(Hitendra Urmila Anilkumar Wani)
Additional Sessions Judge, Baramati.