



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 961 OF 2026

SHUBHAM MANIKRAO KHILLARE

VERSUS

THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Amol A. Jagatkar

APP for Respondents-State : Mr. K. K. Naik

WITH
CRIMINAL APPLICATION NO. 2054 OF 2026
IN BA/961/2026

SUSHIL BALIRAM DONGARDIVE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant (Assist to PP) : Mr. Shirish M. Kamble

CORAM : SACHIN S. DESHMUKH, J.

Date : 9th June, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 16.04.2026 bearing Crime No. 216 of 2026 registered with Jintur Police Station, Dist. Parbhani for the offences punishable under Sections 109(1), 352, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023.

2. On 15.04.2026, informant Sushil Dongardive in

statement to the police detailing an assault stemming from political rivalry. The primary accused, Pratik Ghansawant, blamed the informant for his defeat in the Municipal Council Election, led to a dispute during a religious procession on 14.04.2026 at 20:30 hours. After the informant objected to Pratik throwing money, Pratik abused him, issued a death threat, and stabbed him in the abdomen, causing him to collapse.

3. While the informant was on the ground, co-accused Karan Ghansawant called upon the other accused to restrain him. The accused-applicant held the informant's right hand, Sahil Ghodke held his left hand, and Ayush Chatse held his legs, while Karan and Sudharth Khade stabbed his right and left thighs, respectively. Witnesses Ravi Gajbhare, Sumedh Suryawanshi, and Sachin Bhaware rescued the informant, prompting the accused to flee. The informant received primary care at Rural Hospital, Jintur, before being shifted to Vighnaharta Hospital, Parbhani, leading to the registration of the crime on 15.04.2026.

4. The learned counsel for the applicant submits that the applicant has been falsely implicated in the offence. There is no specific overt act, role, or presence attributed to Shubham Khillare

in the initial narration of the incident. The material collected by the prosecution does not demonstrate prior meeting of minds or common intention on the part of the applicant to commit the alleged offences. The investigation is on the verge of completion. Hence, it is prayed that the application be allowed.

5. The learned APP and the learned counsel assisting to PP opposed the application, submitting that the the offence is serious in nature and that there is sufficient material on record to establish the applicant's complicity. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offense being repeated. Accordingly, it was prayed that the application be rejected.

6. Upon considering the submissions of both sides and perusing the material on record, it prima facie appears that the informant has categorically named five co-accused persons and assigned precise physical acts of restraining and stabbing to each of them. In contrast, the name of the present applicant, is absent from the foundational version of the prosecution case.

7. Prima facie, there is absence of record, at this stage to establish a common intention or a prior meeting of minds between

the applicant and the other accused persons. Given that the applicant has no prior criminal antecedents and has been languishing in jail, further custodial incarceration is unwarranted as the material investigation concerning his limited role is virtually complete.

8. In that view of the matter, further incarceration of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Keeping in view the peculiar facts and circumstances of the case, the applicant entitled for bail. The apprehension expressed by the learned APP and the learned counsel assiting to PP about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

10. Hence, the following order:

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Shubham Manikrao Khillare be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local

solvent sureties in the like amount, in Crime No. 216 of 2026 registered with Jintur Police Station, Dist. Parbhani for the offences punishable under Sections 109(1), 352, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The applicant shall not enter into the entire Jintur Taluka till the conclusion of the trial, except for the limited purposes of attending scheduled Court hearings dates and appearing for the MPSC examination on its officially designated dates.
- (b) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicants shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (d) Breach of any of the conditions by the applicants would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (iv) Resultantly, pending criminal application also stands disposed of.

(Sachin S, Deshmukh, J.)