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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3213 OF 2026

Ganesh Sahebrao Rahate

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Mr. Vipul Dushing a/w. Mr. Ashraf Kazi for Applicant.
 - Ms. Rajeshree V. Newton, APP for the Respondent-State.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 31, 2026

P.C.:

1. By this application, the applicant is seeking regular bail in Crime No. 632 of 2023 registered with Paud Police Station, District Pune, for the offences punishable under Sections 302 and 201 read with 34 of the Indian Penal Code, 1860.

2. It is prosecution's case that on 21st December 2023, the applicant and co-accused murdered the deceased on the ground that the deceased was in a live-in relationship with accused No. 6- Dolly Pereira and used to assault her. Due to continuous harassment by the deceased to accused No. 6, it is alleged that the applicant and co-accused murdered the deceased and disposed of his body by throwing it in Tamhini Ghat. It is contention of learned counsel for the applicant that the applicant was arrested on the basis of suspicion and on the grounds that, his wagon car was taken on hire by Mina Rajput, member of

Pereira family. It is *prima facie* seen that the applicant has no concern with the said incident. Learned counsel for the applicant further submitted that when the body was disposed of at Tamhini Ghat, the applicant was not present. The applicant has no antecedents. He is behind bars for two years and three months, it may take time to conclude the trial and hence he has requested to allow the application.

3. It is contention of learned APP along with learned counsel for the first informant that the incident of entering into the house of the deceased by the applicant and co-accused is captured in CCTV footage. It is argue that in the CCTV footage, the applicant and co-accused are seen carrying the wrapped body of the deceased in a bed-sheet and keeping it in a vehicle.

4. It is further argued that the applicant was present with the principal co-accused throughout the entire incident. It shows his involvement in the crime. The statement of witness shows that the applicant was part of the conspiracy to kill the deceased and if the applicant is released on bail, he may abscond or threaten the prosecution witnesses and therefore Court is requested to reject the application.

5. I have heard all the learned counsel, perused the charge-sheet and documents produced on record. The CCTV footage shows the presence of the applicant with the co-accused entering into the house of the

deceased and returning from his house. The allegations of disposing of the dead body are against accused Nos. 1 to 4. It is contention of learned counsel for the applicant that the wagon car of the applicant was hired by the co-accused. The applicant has no antecedents. To prove the complicity and role of the applicant, trial is required. *Prima facie* the precise role and motive ascribed to the Applicant is not brought forth by the prosecution. Hence, the applicant is behind bars for more than two years and three months. The considering these facts, I pass the following order:

- (i) Applicant is directed to be immediately released from prison in connection with Crime No. 632 of 2023;
- (ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety of the like amount;
- (iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;
- (iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the

prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence with any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

6. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

7. Bail Application is allowed and disposed of in the above terms.

[MILIND N. JADHAV, J.]