



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO. 140 OF 2023**

NIKHIL SANJAY KADU

..APPLICANT

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Mr. Kishor H. Hase, for the applicant.

Mr. P. H. Gaikwad, APP for the State.

**CORAM : M. S. KARNIK, J.**

**DATE : OCTOBER 05, 2023**

**P.C. :**

**1.** Heard learned counsel for the applicant and learned APP for the State.

**2.** This is an application for bail in respect of the offence punishable under sections 302 of the Indian Penal Code, 1860 (hereafter 'IPC' for short) registered on 20/06/2019 vide C.R. No.370 of 2019 with Narpoli police station, Thane city. The applicant was arrested on 20/06/2019.

**3.** The date of the incident is 19/06/2019. The accusation against the applicant is that he killed the victim with knife and hammer. The knife and hammer were recovered at the instance of

the applicant. There are blood stained clothes recovered at the instance of the applicant. On record there is an extra judicial confession. The entire case of the prosecution rests on the circumstantial evidence. Considering that the applicant is in custody for more than 4 years and even charge has not been so far framed, I am inclined to enlarge the applicant on bail. There are no criminal antecedents reported against the applicant. The applicant will face the consequences of the trial if found guilty. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

### **ORDER**

- (a) The application is allowed.
- (b) The applicant- Nikhil Sanjay Kadu in connection with C.R. No.370 of 2019 registered with Narpoli police station, Thane City shall be released on bail on his furnishing PR. Bond of Rs.25,000/- with one or more local sureties in the like amount.
- (c) The applicant shall attend the investigating officer of Narpoli police station, Thane City once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter the Thane District after being released on bail, till the trial concludes.

(i) The applicant shall attend the trial regularly.

**4.** The application is disposed of.

**(M. S. KARNIK, J.)**