

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

CRIMINAL BAIL APPLICATION NO. 1438 OF 2025

Vishal Raju Jadhav ...Respondent
Versus
The State of Maharashtra ...Respondent

....

Mr. Ritesh Thobde a/w Adv. Zubi Ansari, Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

....

CORAM : N. R. BORKAR, J.
DATE : 9th MAY, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 430 of 2024 registered at Vijapur Naka Police Station, District : Solapur for the offences punishable under Sections 109, 115(2), 352, 351(2), 103(1), 189(2), 191(3), 191(2), 190 & 3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The complainant was working with the Finance Company namely Sparsh Agency. On the date of incident which took place on 23.09.2024 a dispute arose between the co-accused Avinash Madnawale and the complainant on account of seizure of motorcycle by the complainant. The

complainant had thus called the deceased as the co-accused Avinash Madnawale was resisting the seizure of motorcycle. It is alleged that at that time other co-accused also came there. It is alleged that thereafter altercation took place between them and during the said altercation co-accused Avinash Madnawale assaulted the deceased by spade and committed his murder. The allegations against the present applicant are of assaulting witness Dhumal by fist and kick blows.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that the alleged assault to the deceased is not attributed to the present applicant. It is submitted that the applicant is in jail for about 8 months and the trial is not likely to be concluded near future as it is still at the stage of framing of charge. It is submitted that there are no other criminal antecedents against the present applicant.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the applicant was part of unlawful assembly. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of witnesses. The alleged assault to the deceased is attributed to the co-accused Avinash Madnawale. There are no criminal antecedents against the present applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 430 of 2024 registered at Vijapur Naka Police Station, District : Solapur for the offences punishable under Sections 109, 115(2), 352, 351(2), 103(1), 189(2), 191(3), 191(2), 190 & 3(5) of the Bhartiya Nyaya Sanhita, 2023, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)