

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

CRIMINAL BAIL APPLICATION NO. 1983 OF 2025

Shreyas Tanaji Thorat. ... Applicant.
Vs.
The State of Maharashtra ... Respondent.

Mr. Mahindra Deshmukh, Advocate for the Applicant.
Mr. Hrishikes S. Shinde, for intervenor.
Ms. Anamika Malhotra, APP for Respondent/State.
Mr. Somnath Anandrao Patil, HC/1082, Vita Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 4th JULY, 2025.

P.C. :

1. Heard Mr. Mahindra Deshmukh, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. 524 of 2024 registered with Vita Police Station, Sangli for the offences punishable under Section 302 of the Indian Penal Code, under Section 103(1), 238, 3(5) of the Bharatiya Nyay Sanhita, 2023. Said Crime is registered as Sessions Case No. 12 of 2025 and is pending before the Court of Additional Sessions Judge, Vita.

3. There are six accused in the present crime. Two of the accused are juvenile. Applicant is Accused No. 5 in the said crime.

4. Case of the prosecution is that the Accused Nos. 1 to 3 have committed murder of Bapurao Devappa Chavan. Applicant has assisted the Accused Nos. 1 and 2 to destroy the evidence i.e. to destroy the clothes worn by Accused Nos. 1 and 2 which were drenched in blood.

5. Applicant was arrested on 10th December, 2024 and since then, the Applicant is in jail. Bail Application at Exh. 6 filed in Sessions Case No. 12 of 2025 was rejected by the learned Additional Sessions Judge, Vita on 3rd April, 2025.

6. Mr. Deshmukh, learned Advocate for the Applicant submits that the prosecution case against the Applicant is of destruction of evidence. He submits that charge-sheet indicates that the Applicant is alleged to have assisted the Accused Nos. 1 and 2 to destroy the clothes which were drenched in blood. He submits that apart from the said allegation, there is no material to indicate involvement of the Applicant in the crime. He submits that the Applicant is the student studying in First Year B.Sc. at Balwant College at Vita. He submits that the Applicant does not have any antecedents.

7. Ms. Malhotra, learned APP for State, submits that offences

charged against the Applicant and other accused is a serious offence. She however, submits that the investigation has revealed the involvement of the Applicant to be of destruction of evidence.

8. Mr. Shinde, learned Advocate for Intervenor submits that the Applicant has participated in the said crime and therefore, he would be equally responsible for the offence of murder. He submits that the participation of the Applicant indicates the Applicant having knowledge of the other Accused being involved in committing murder. He submits that though the vehicle used in the crime is shown in the name of the Accused No. 2, the same was recovered from the Applicant.

9. I have perused the record with the assistance of the learned Advocates for the parties.

10. Perusal of the charge-sheet reveals that the involvement of the Applicant is of assisting the Accused Nos. 1 and 2 in destroying the clothes which were drenched in blood. It is not the case of the prosecution that the Applicant is involved in the act of committing murder. The role assigned to the Applicant in the said crime is restricted to destruction of evidence. There is no other material on record to indicate the Applicant being involved in committing murder. Applicant is a student studying in First Year of B.Sc. Applicant does not have any criminal antecedents.

11. Considering the nature of allegations and role assigned to the Applicant, continuation of the Applicant in jail, pending trial is not warranted. Applicant would therefore be entitled to bail.

12. Mr. Shinde, learned Advocate for the Informant submits that in the event, indulgence is shown to the Applicant, condition restricting the Applicant from entering the village Ghanwad, Tal. Khanapur, District Sangli be imposed on the Applicant.

13. Mr. Deshmukh, learned Advocate for the Applicant states that he has obtained instructions from the Applicant to make a statement that during the pendency of the trial of Sessions Case No. 12 of 2025 before the Court of learned Additional Sessions Judge, Vita, Applicant (Accused No. 5) and its conclusion, the Applicant will not enter the jurisdiction of Village Ghanwad, Tal. Khanapur, District Sangli. Said statement is accepted.

14. In view of the above, Application is allowed on the following conditions :

(a) Applicant be released on bail in Crime No. 524 of 2024 registered with Vita Police Station, Sangli upon furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the learned Additional Sessions Judge, Vita.

(b) 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.

(c) Applicant upon release within 3 days shall furnish their residential addresses with proof and contact details to the Trial Court and to the Investigating Officer, Vita Police Station, Sangli.

(d) Applicant shall attend each and every date of hearing before the learned Additional Sessions Judge, Vita in Sessions Case No.12 of 2024, unless exempted.

(e) Applicant shall report and appear before the Investigating Officer, Vita Police Station, Sangli on first Saturday of each month from 10 a.m. to 12 p.m. till framing of charge.

(f) Applicant shall not enter the jurisdiction of Village Ghanwad, Tal. Khanapur, District Sangli till conclusion of trial in Sessions Case No. 12 of 2025.

15. Bail Application No. 1983 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)