

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2661 OF 2024

Kshitij @ Sonya Virsen Jadhav ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr. Shailesh Chavan a/w Mr. Hrishikesh Avhad, Prathamesh Bankar,
Sachin Pawar, Advocate for the Applicant.

Mr. P. H. Gaikwad, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 8th AUGUST, 2025.

P.C. :

1. Heard Mr. Shailesh Chavan, learned Advocate for the Applicant and Mr. P. H. Gaikwad, learned APP for the Respondent-State.

2. By the present Application, Applicant is seeking bail in Crime No.475 of 2023 registered with Wai Police Station, for the offences punishable under Sections 385, 386, 387, 397 and 120B of the Indian Penal Code (for short "IPC") and Section 3 read with Section 25 of the Arms vide Section 439 of the Code of Criminal Procedure. Said crime is registered as Sessions Case No. 20 of 2024 and is pending on the file of Additional Sessions Judge, Wai District Satara.

3. There are 15 Accused in the present crime. Applicant is Accused No. 9.

4. Case of the prosecution is that Rajesh Navghane (Informant) was managing and running a Hotel Madhavan International at

Manawali, Taluka Wai District Satara. Accused persons demanded an amount of Rs.10 lakhs from the Informant so as to permit him to continue operations of his Hotel. As the Informant failed to comply with the extortion demand made by the Accused persons, the Informant was threatened with a weapon and abused.

5. Applicant was arrested on 5th August, 2023 and since then he is in jail. Bail Application No.70 of 2024 filed by the Applicant was rejected by the Additional Sessions Judge, Wai District Satara vide order dated 4th May, 2024.

6. Mr. Shailesh Chavan, learned Advocate for the Applicant, submits that the investigation papers indicate that the role of the Applicant is of showing a weapon to the Informant. He submits that though the Applicant is accused of showing of the weapon, admittedly the said weapon was not used in the incident as alleged. He submits that the weapon has been recovered at the instance of the Applicant. He submits that though the offence is of the year 2023, till date charge is not framed in the said Sessions Case No. 20 of 2024.

7. Mr. P. H. Gaikwad, learned APP for the State, submits that the offences charged against the Accused persons are of a serious nature. He submits that the involvement of the Applicant in the crime is of pointing a pistol at the Informant and threatening him. He submits that the Applicant has antecedents.

8. I have perused the records with the assistance of the learned Advocates.

9. Charge-sheet reveals that the role assigned to the Applicant is of pointing a pistol at the Informant. There is no material on record to indicate that the said pistol was used in the alleged crime. Further as submitted by Mr. Shailesh Chavan there is no evidence to indicate the role of the Applicant being beyond showing a pistol to the Informant. Charge-sheet is filed, however till date charge is not framed, which indicates that the trial in the said case would be delayed.

10. Considering the nature of allegations against the Applicant and the material on record, prima facie no case is made out to continue the detention of Applicant pending the trial of Sessions Case No.20 of 2024. Apprehensions expressed by Mr. P. H. Gaikwad, learned APP can be taken care of by imposing stringent conditions on the Applicant.

11. Mr. Shailesh Chavan, learned Advocate for the Applicant, on instructions from the Applicant submits that the Applicant shall not enter the jurisdiction of Wai Police Station till the conclusion of trial in Sessions Case No. 20 of 2024. Statement is accepted.

12. In view of the above, the Application is allowed on the following terms :-

(a) Applicant be released on bail in Crime No. 475 of 2023 registered with Wai Police Station upon furnishing P.R. Bond in the sum of Rs. 25,000/-each with one or two sureties in the like amount, to the satisfaction of the Additional Sessions Judge, Wai District. Satara.

(b) Applicant shall not directly or indirectly make any inducement, threat, or promise to the Complainant or any

person acquainted with the facts of the case, as also shall not tamper with the evidence.

(c) Applicant upon release within 3 days shall furnish his residential addresses with proof and contact details to the Investigating Officer, Wai Police Station Dist. Satara.

(d) Applicant shall attend and regularly appear before the Additional Sessions Judge, Wai in Sessions Case No. 20 of 2024 on each date of hearing unless exempted specifically by the Court.

(e) Applicant shall not enter the territorial jurisdiction of the Wai Police Station District Satara, till the conclusion of the Trial in Sessions Case No. 20 of 2024 pending before the Additional Sessions Judge Wai District Satara.

13. Criminal Bail Application No. 2661 of 2024 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)