

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

CRIMINAL BAIL APPLICATION NO. 3369 OF 2025

Nagesh Suresh Chavan

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Rahul Dhaigude, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th OCTOBER, 2025.

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P.C. :

1. By this application, the Applicant is seeking regular bail in C.R. No.291 of 2024 registered with Mhaswad Police Station, District: Satara, for the offences punishable under Sections, 103(1), 238, 140(1) and 3(5) of the Bharatiya Nyaya Sanhita Act, 2023 (for short, “BNS Act).

2. It is prosecution’s case that on 13th September, 2025 around 3:30 p.m. the Applicant and co-accused murdered the deceased by strangulation and he was tied with a stone and thrown in a well. It is alleged that the deceased was eunuch and he had love affair with

accused No.1.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for around one year. There is no progress in the trial. Accused No.1 who had motive to kill the deceased has been released on bail. The Applicant is entitled for bail on the ground of principle of parity, and requested to allow the application.

4. It is contention of learned APP that the parity will not be applicable to the Applicant as accused No.1 has been released on bail on the ground of non giving reason for arrest by the police, therefore the learned Sessions Court has not released the Accused No.1 on merit. The Applicant and Accused No.1 strangled the deceased to death. If Applicant is released on bail, he may abscond or threaten the prosecution witness. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record.

6. The Accused No.1 against whom there was motive has been released on bail. The Applicant is behind bars for more than one year. There is no progress in the trial. The Applicant has no antecedents. Investigation is completed and charge sheet has been filed. Considering these facts, his further detention is not required and I

pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No.291 of 2024 registered with Mhaswad Police Station, District: Satara, on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
- iii. The Applicant shall mark his attendance with the concerned police station as and when required.
- iv. The Applicant shall remain present before the trial Court on each date unless exempted by the Trial Court.
- v. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
- vi. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

vii. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)