

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

CRIMINAL BAIL APPLICATION NO. 3543 OF 2025

Nilesh Anand Jadhav

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Balwant Salunkhe h/f Mr. Shashank C. Mangle a/w Mr. Shravan H. Sul, Advocate for the Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th NOVEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.222 of 2024 registered with Chiplun Police Station, for the offences punishable under Sections 103(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”).

2. It is prosecution’s case that during period 7th September, 2024 to 8th September, 2024, the Applicant and co-accused assaulted the deceased with stone and murdered him. The Applicant is arrested

on the basis of CCTV footage.

3. It is contention of learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The prosecution's case is based on circumstantial evidence. Initially, an offence was registered against the unknown person. On the basis of CCTV footage, the police has arrested the Applicant. There is no recovery at the instance of the Applicant. The Applicant is behind bar for more than one year. There is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the deceased was murdered by the Applicant and co-accused. The Applicant was seen near the incident spot in CCTV footage. It shows that his involvement in the crime. If the Applicant is released on bail, he may abscond or threaten the prosecution witnesses, and requested to reject the application.

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

6. Initially, an offence was registered against the unknown person. On the basis of CCTV footage, the Applicant and co-accused are arrested in connection with the crime. The CCTV footage shows

the presence of the Applicant near the incident spot. To prove the role of the Applicant in the crime, the evidence is required. The Applicant is behind bar for more than one years. He has no criminal antecedents. There is no progress in the trial. Considering these facts, I pass following order:

ORDER

- i. Application is allowed.
 - ii. The Applicant be released on bail in connection with C.R. No.222 of 2024 registered with Chiplun Police Station, on furnishing 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 as and when required.
 - iv. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. It is made clear that the above observations are made only

for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

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

(SHIVKUMAR DIGE, J.)