

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

CRIMINAL BAIL APPLICATION NO.2060 OF 2024

Aditya Raju Kenjale

... Applicant

V/s.

State of Maharashtra

... Respondent

Mr. Satyavrat Joshi with Mr. Samay Pawar i/by Mr. Yash Ganesh Fadtare,
Advocates for the Applicant.

Mr. Amit A. Palkar, APP for the State.

Mr. Amol B. Jagtap with Mr. Siddharth Bane, Advocates for the
Intervenor.

CORAM : ASHWIN D. BHOBE, J.

DATE : 10th JUNE, 2025.

P.C.:-

1. Heard Mr. Satyavrat Joshi, learned Advocate for the Applicant and Mr. Amit A. Palkar, learned APP for the State. Mr. Amol Jagtap, learned Advocate for the Intervenor is assisting the prosecution.

2. By the present application, under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, the Applicant is seeking bail in connection with Crime No.0209 of 2022 registered with Samarth Police Station, Pune for the offences punishable under Sections 302, 120(B), 143, 144, 147, 148, 149 of the Indian Penal Code, 1860 alongwith Sections 4 and 25 of the Arms Act alongwith Sections 37(1)(3), 37(3), 135 of the Maharashtra Police Act alongwith Section 7 of the Criminal Law Amendment Act.

3. Case of the prosecution is that on 23rd November, 2022, the Applicant alongwith the other accused persons assaulted the victim – Mr. Rohan. Mr. Rohan succumbed to the said injuries inflicted on him.
4. Applicant was arrested on 23rd November, 2022. Bail Application filed by the Applicant was rejected by order dated 20th March, 2024 passed by the learned Sessions Court in Sessions Case No.624 of 2023.
5. Mr. Satyavrat Joshi, learned Advocate for the Applicant submits that the Applicant is in custody since the year 2022. He submits that the Applicant is 20 years of age. He submits that the charge is not framed till date and there is no possibility of trial concluding in the near future. He submits that eye witnesses in the present crime are not reliable witnesses.
6. Learned APP assisted by Mr. Amol Jagtap, learned Advocate for the Intervenor has drawn my attention to pages 140 and 141 of the paperbook, i.e. the statements of the eye witnesses in the present crime. The said three witnesses have named the Applicant and have given the role played by the Applicant in the said offence.
7. The statements of the three eye witnesses refer to the involvement of the Applicant and the other accused in the crime. The said witness narrate the incident wherein the accused have assaulted the deceased with bricks on the face.
8. From the nature of the allegations and the role assigned to the Applicant, I find that there is sufficient material to *prima facie* indicate the involvement of the Applicant in the abovesaid crime.
9. In view of the above, no case is made out.

10. Bail Application No.2060 of 2024 is dismissed.

(ASHWIN D. BHOBE, J.)

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