

Nikita

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

BAIL APPLICATION NO.4003 OF 2024

NIKITA
KAILAS
DARADE
BOMBAY
Date: 2025.06.10
20:02:42 +05:30

Aniket Dnyaneshwar Katke

...Applicant

State of Maharashtra and Anr.

... Respondents

Mr. Rahul Kadam a/w Mr. Vedant Babar for the
Applicant.

Mr. P. H. Gaikwad, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 10th JUNE, 2025

P.C.:

1. Heard Mr. Rahul Kadam learned Advocate for the Applicant.
Mr. P. H. Gaikwad, learned APP for the State.
2. By the present application, the Applicant is seeking bail in
connection with C.R. No.881 of 2023 registered with Hadapsar
Police Station for the offences punishable under Section 302, 143,
144, 147, 149, 120(B) of the Indian Penal Code, Section 4(25) of
the Arms Act, Section 37(1)(3) of the Maharashtra Police Act.
3. Case of the prosecution is that on 16.06.2023, at about 1.50
pm. the informant along with his friend Vaibhav, were proceeding
towards the house of Vaibhav. Applicant and four other accused
persons who had previous enmity with Mr. Vaibhav, assaulted him

with sharp edged weapon. Vaibhav succumbed to he injuries inflicted on him.

4. Applicant was arrested on 19.06.2023.

5. Bail Application filed by the Applicant in Sessions Case No. 1018 of 2023 was dismissed by the learned Additional Sessions Judge Pune on 24.07.2024.

6. Mr. Rahul Kadam, learned Advocate for the Applicant submits that though the offence as alleged against the Applicant is of assault by way of deadly weapon, no weapon has been recovered at the instance of the Applicant. He submits that the Applicant is in jail for last two years. He, therefore, prays that the application be granted.

7. Mr. P. H. Gaikwad, learned APP for the State submits that the involvement of the accused in the present crime is established from the statement made by the eyewitness Mr. Shivling Pandhare. He submits that the Applicant and the other persons accused are named by the said eye witness in detail by making reference to the participation and the role of the Applicant in the said crime. He submits that blood stained clothes of the present Applicant have been attached and recovered at the instance of the Applicant. He submits that the involvement of the Applicant and the commission of the crime by the Applicant is established from the material on record.

8. I have perused the records placed before me with the able assistance of the learned Advocates for the parties.

9. Involvement of the accused in the present crime is specifically mentioned by the eye witness Mr. Shivling Pandhare. Complicity of the Applicant in the crime, is *prima facie* established from the material on record. Use of the deadly weapon and the nature of assault indicate the intention of the persons accused in the crime, *prima facie* appears was to kill Mr. Vaibhav.

10. No case is made out for grant of bail.

11. In view of the above, Criminal Bail Application No. 4003 of 2024 is dismissed.

(ASHWIN D. BHOBE. J.)