

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

CRIMINAL BAIL APPLICATION NO. 5176 OF 2024

Abhishek @ Appa Aniruddha Londhe. ... Applicant.

Vs.

The State of Maharashtra. ... Respondent.

Mr. Kuldeep U. Nikam, a/w. Mr. Om N. Latpate & Mr. Pratik Shinde, Advocate for the Applicant.

Mr. T.G.Khan, APP for Respondent/State.

PSI D.D. Sawant, Alankar Police Station, Pune City.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25 JUNE, 2025.

P.C. :

1. Heard Mr. Kuldeep Nikam, learned Advocate for the Applicant and Mr. Khan, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. 86 of 2024 registered with Alankar Police Station, Pune for offence punishable under Section 302, 323, 120-B, 143, 144, 147, 148, 149 of the Indian Penal Code, Section 4 read with Section 25 of the Arms Act and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act and Section 7 of the Criminal Law (Amendment) Act.

3. There are nine accused in the above said crime. Applicant is Accused No. 7 in the said Crime. Mr. Nikam, states that the crime No. 86 of 2024 is registered as Sessions Case No.730 of 2024 and is pending on the file of the Additional Sessions Judge, Pune.

4. Applicant was arrested on 28th June, 2024 and since then the Applicant is in jail. Bail Application at Exh. 3 in Sessions No. 730 of 2024 was dismissed by the learned Additional Sessions Judge, Pune on 23rd October, 2024.

5. Case of the prosecution is that Accused in the above said Crime hatched conspiracy to kill Shrinu Shankar Vilaswat. The motive alleged in the crime is rivalry.

6. Mr. Nikam, learned Advocate for the Applicant has drawn my attention to the charge-sheet and pointed out to the panchanama conducted under section 27 of the Indian Evidence Act. Referring to the said panchnama, Mr. Nikam submits that the only allegation and or circumstance which indicate the involvement of the Applicant in the said crime is the statement of the co-accused in the disclosure panchanama under Section 27 of the Indian Evidence Act. He submits that apart from the said statement of co-accused, there is no other allegation in the entire charge-sheet against the Applicant. He submits that the Applicant has been falsely implicated in the said crime.

7. Mr. Khan, learned APP for the State submits that in

addition to the statement made by the co-accused in the disclosure Panchanama under section 27 of the Indian Evidence Act, the prosecution has CDR records, which shows the presence of the Applicant in the vicinity. Apart from that, Mr. Khan, learned APP was unable to point out any other material/incriminating material against the Applicant.

8. I have perused the record with the assistance of the learned Advocates for the parties.

9. From the perusal of the charge-sheet and the material placed on record, apart from the name of the Applicant being recorded in Section 27 Disclosure Panchanama, there is no other material in the entire charge-sheet against the Applicant. Considering the material on record, there are no circumstances much less compelling circumstances to continue the custody of the Applicant. Applicant is therefore, entitled to bail.

10. Mr. Nikam learned Advocate for the Applicant on instructions from the Applicant states that if indulgence is shown to the Applicant in the present Application, the Applicant shall not enter District of Pune till the conclusion of the trial, except for attending the hearing in Sessions Case No. 730 of 2024.

11. Bail Application is allowed on the following conditions :

- (a) Applicant is directed to be released on bail in Crime No. 153 of 2024 registered with Alankar Police Station, Pune on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.
- (b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.
- (c) Applicant upon release within 3 days shall furnish his residential addresses with proof and contact details to the Trial Court and Investigating Officer, Alankar Police Station, Pune.
- (d) Applicant shall attend each and every date of hearing before the learned Additional Sessions Judge, Pune in Sessions Case No. 730 of 2024, unless exempted.
- (e) Applicant shall not enter District of Pune till the conclusion of the trial except for attending the hearing in Sessions Case No. 730 of 2024.

12. Bail Application No. 5176 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)