

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.5379 OF 2024

1. Saurav Ravsaheb Adhav Applicants
2. Shubham Eknath Khade

V/s.

State of Maharashtra Respondent

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Ms.Shubhangi Parulekar a/w Mr.Ajay Bagmode, for the
Applicants.

Mr.Sameer M. Mangaonkar, APP, for Respondent-State.

Mr.K. V. Pawar, PSI, Parvani (Dattawadi) Police Station, Pune
city

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th MARCH 2025

P.C:-

. By this Application, Applicants is seeking regular bail
in Crime No.75 of 2019 registered with Dattawadi Police Station,
Pune, for the offences punishable under Sections 302, 307, 324,
143, 147, 148, 149, 120-B and 201 of the Indian Penal Code,
1860 ('IPC' for short) and under Sections 3(25), 4(25) of the
Arms Act and under Sections 37(1)(3) read with Section 135 and
under Section 142 of the Maharashtra Police Act, 1951 and

Sections 3(1)(i)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 ('MCOC' for short).

2. It is prosecution case that, on 13th January 2019 at about 6.00 p.m. Applicants and co-accused murdered the deceased Nilesh Wadkar by assaulting him with sharp weapon and tried to kill the first informant. The allegations against the Applicants are that, he assaulted the deceased and first informant with fist and kick blows.

3. It is contention of the learned counsel for the Applicants that, the allegations against the Applicants are that he assaulted the deceased and first informant with fist and kick blows. The learned counsel further submitted that, this Court has granted bail to the co-accused having same allegations, hence Applicants are entitled for bail on principle of parity and requested to allow the Application.

4. It is contention of the learned APP that, the Applicant's were part of group who assaulted the deceased with sharp weapon. The Applicants were in conspiracy to kill the deceased. They had active involvement in the said crime. If

Applicants released on bail they may abscond or they may threaten prosecution witnesses. There is recovery of sword, sickle and blood stains clothes from the Applicant No.2-Shubham Khade. Hence, requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet.

6. Initially, names of the Applicant No.2 was not mentioned in the FIR. In Supplementary Statement name of the Applicant No.2 is mentioned alleging that he has assaulted the first informant and deceased with fist and kick blows. This Court has granted bail to Raj Aadhav, Yogesh Pawar and Dipak Khirid. The allegations against these accused are same like Applicants. Considering these facts, Applicants are entitled for bail on principle of parity and I pass following order.

ORDER

(i) The Applicant No.1-1. Saurav Ravsaheb Adhav and Applicant No.2-Shubham Eknath Khade, be released on bail in Crime No.75 of 2019 registered with Dattawadi Police Station,

Pune, on furnishing PR bond of Rs.25,000/- each with one or two solvent sureties each in the like amount.

(ii) The Applicants shall attend the concerned Police Station once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till framing of charge.

(iii) The Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)