

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

Bail Application No.1276 of 2025

Dnyaneshwar Dattu Sakat
Age: 27 Years, Occ. Labour,
R/at. Near Laxmi Mata Temple,
Ramoshi Aali, Hadapsar, Dist: Pune.
(At present languished in Yerawada
Central Prison, Pune)

... Applicant

Versus

The State of Maharashtra
(At the instance of Sr. P.I.,
Hadapsar Police Station,
Pune City, Pune.

... Respondent

Mr Shailesh Chavan, a/w Mr Hrishikesh Avhad, for the
applicant.

Mr PP Jadhav, APP, for the respondent/ State.
PSI Altaf Shaikh, Hadapsar Police Station, Pune.

**Coram: R.N. Laddha, J.
Date: 6 November 2025.**

P.C.:

Heard Mr Shailesh Chavan, learned Counsel appearing on
behalf of the applicant and Mr PP Jadhav, learned Additional
Public Prosecutor representing the respondent/State.

2. By this application, the applicant seeks bail in connection
with CR No.1473 of 2024, registered with Hadapsar Police

Station, Pune, for the offences punishable under Sections 103(1) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. According to the prosecution, on 19 September 2024, the applicant in connivance with co-accused Vaibhav Labade, is alleged to have conspired and committed the murder of the deceased, Amol Mane.

4. The learned Counsel appearing on behalf of the applicant, submits that the applicant is innocent and has been falsely implicated in the present offence. It is contended that the sole incriminating material relied upon by the prosecution against the applicant is the statement of the co-accused Vaibhav. The prosecution itself attributes the motive for the alleged crime to the said co-accused, and the weapon i.e. an iron rod purportedly used in the commission of the offence was recovered at the behest of the co-accused.

5. It is further submitted that the applicant is not named in the FIR, which was registered against unknown persons. The statement of the purported witness, Shekhar Chavan, was recorded only subsequent to the arrest of the applicant. In his statement, Chavan merely alleges that on 18 September 2024, at about 1:30 am, the applicant and the co-accused Vaibhav

visited his residence and requested his motorcycle. No allegation of any overt act or criminal conspiracy is made therein. Even as per the prosecution's own case, the applicant did not enter the premises of the deceased nor did he participate in the alleged assault. It is alleged that the applicant was merely present outside the house of the deceased at the relevant time. However, there is no material available on record to substantiate this claim. No independent witness has corroborated the applicant's alleged presence at the scene of the offence. Furthermore, the applicant's clothes were not found to be stained with blood, and except for this no recovery or discovery has been effected at his instance.

6. The learned Counsel further submits that the investigation in the present crime stands concluded and the charge sheet has already been filed before the competent Court. The applicant has been languishing in jail since 20 September 2024 and there has been no meaningful progress in the trial proceedings thus far. The evidence relied upon by the prosecution is, at best, hearsay and does not establish any direct nexus between the applicant and the commission of the alleged offence. The applicant is ready and willing to abide by any condition that may be imposed by this Court, including not to enter the territorial jurisdiction of Pune city till the conclusion of the trial

and shall not ask for relaxation of any conditions.

7. On the other hand, Mr PP Jadhav, the learned Additional Public Prosecutor appearing on behalf of the respondent/State, has vehemently opposed the present application, contending that the offence alleged against the applicant is of a grave and serious nature. It is submitted that the alleged act was not a spontaneous occurrence but a premeditated and deliberate assault upon the deceased, resulting in the extinguishment of a human life.

8. This Court has given anxious consideration to the rival submissions canvassed across the Bar and perused the record.

9. Upon perusal of the case records, it *prima facie* appears that the principal act of the assault resulting in the death of the deceased was allegedly perpetrated by the co-accused Vaibhav, who is stated to have inflicted fatal injuries using an iron rod. The present applicant is not attributed with any overt act of violence; rather, his alleged presence is confined to having stood outside the residence of the deceased at the relevant time. It is an admitted position that the motive for the commission of the offence has been ascribed solely to the co-accused Vaibhav. Furthermore, the weapon of the offence i.e. an iron rod was recovered pursuant to the disclosure statement made by the co-

accused. There appears to be no cogent or credible material on record to demonstrate that the present applicant was last seen in the company of the deceased prior to the incident. Additionally, the clothes seized from the applicant did not reveal the presence of any bloodstains linking him to the offence.

10. The investigation into the present crime stands concluded and the charge sheet has also been filed before the competent Court. The applicant has been languishing in jail since 20 September 2024 and the charges have not yet been framed.

11. Having regard to the aforesaid circumstances, coupled with the undertaking by the applicant to abide by the conditions imposed by this Court, and considering the absence of direct evidence implicating the applicant in the commission of the offence, this Court is inclined to exercise its discretion in favour of granting bail. Accordingly, the present bail application is allowed on the following terms and conditions:

- (i) The applicant shall be released on bail in CR No.1473 of 2024, registered with Hadapsar Police Station, Pune, upon executing a PR Bond of Rs. 25,000/- with one or more sureties in the like amount to the satisfaction of the jurisdictional Court.

(ii) The applicant shall refrain from entering the territorial limits of Pune city until the conclusion of the trial, except for the purpose of attending trial proceedings. Further, the applicant shall not, either directly or indirectly tamper with prosecution evidence or influence prosecution witnesses by way of threats, inducements, or assurances.

(iii) The applicant shall provide his residential and contact particulars to the Inspector of the concerned Police Station and shall promptly inform the said officer of any subsequent changes thereto.

(iv) The applicant shall regularly attend the trial proceedings and cooperate for the expeditious disposal of the case.

12. The application stands disposed of accordingly.

13. It is clarified that these *prima facie* observations are made solely for the purpose of adjudicating the present bail application and shall not be construed as findings on merits.

[R.N. Laddha, J.]