

AGK

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

BAIL APPLICATION NO.1581 OF 2025

Karan Man Singh	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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Mr. Abhinandan Vagyani with Ms. Kirti Purohit and Mr. Pankaj Kandhari for the applicant.

Mr. Sagar R. Agarkar, APP for the respondent-State.

Mr. D.B. Sawant, PSI, Saphale Police Station, is present.

CORAM : AMIT BORKAR, J.

DATED : JULY 16, 2025

P.C.:

1. The present application is filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973, seeking his release on regular bail in connection with Crime Register No. 50 of 2023, registered with Saphale Police Station, for offences punishable under Sections 302 (murder), 397 (robbery), 201 (causing disappearance of evidence), 120-B (criminal conspiracy), and 34 (common intention) of the Indian Penal Code, 1860 (for short, "IPC").

2. As per the prosecution case, the deceased, Smt. Padma Bik, was the mother of the first informant. It is stated that she was addicted to alcohol for the last ten years. On 5th June 2023, when

the first informant returned home from work at around 10:30 p.m., he went along with his daughter to meet his mother at her flat. However, she was not present at the premises. After not finding her, he returned. The next morning, i.e., on 6th June 2023, he continued searching for her until about 9:00 a.m., and thereafter lodged a missing person report at Saphale Police Station. While he was at the police station, the police received information that a woman's body was found in a field near Mande Village. He accompanied the police to the location and identified the body as that of his mother. Based on this incident, the present First Information Report came to be registered.

3. Learned Advocate for the applicant has submitted that the entire case of the prosecution rests on circumstantial evidence. It is contended that the only material relied upon by the prosecution against the applicant is his alleged contact with the co-accused, from whom certain articles belonging to the deceased—such as gold ornaments and a mobile phone—were recovered. It is further submitted that in his statement under Section 27 of the Indian Evidence Act, the co-accused has named the present applicant. However, apart from this, there is no other material on record which can be said to form a complete and unbroken chain of circumstances so as to point conclusively towards the applicant's guilt. The applicant is stated to be a person with no prior criminal antecedents. On these grounds, it is urged that the applicant may be released on bail.

4. On the other hand, the learned Additional Public Prosecutor (APP) has strongly opposed the bail application. It is submitted

that the recovery of articles belonging to the deceased from the co-accused, with whom the present applicant is shown to have maintained contact, is a significant circumstance indicating his involvement in the offence. It is, therefore, argued that this is not a fit case for granting bail and the application deserves to be rejected at this stage.

5. I have carefully considered the rival submissions and gone through the material placed on record, including the charge-sheet.

6. It is true that the offence in question is grave and concerns the unnatural death of a woman, allegedly involving robbery and destruction of evidence. However, at this stage, it is necessary to examine whether the applicant's role is *prima facie* established by the material placed by the prosecution.

7. From the record, it appears that the entire case against the applicant is based on circumstantial evidence. The main circumstance relied upon is that the applicant was in contact with the co-accused, and that the co-accused in his statement under Section 27 of the Evidence Act allegedly named the applicant. However, such a statement of a co-accused, without any independent corroboration, is not sufficient by itself to form a complete chain of circumstances conclusively pointing towards the guilt of the applicant.

8. It is also relevant to note that no recovery has been effected from the applicant. All the recoveries are made from the co-accused, and there is no direct evidence to show that the applicant was present at the scene of offence or that he played any active

role in the alleged murder or robbery. No CCTV footage, eyewitness account, or forensic evidence linking the applicant to the crime has been placed on record so far.

9. The applicant is also shown to be a person without any prior criminal antecedents. He is stated to be a permanent resident and there is no material to suggest that he is likely to abscond or tamper with the evidence or influence any witness if released on bail.

10. The investigation is complete and the charge-sheet has already been filed, which further weighs in favour of the applicant's release on bail. The trial is likely to take some time to commence and conclude. Continued incarceration of the applicant at this stage, especially in the absence of strong prima facie material, would not be justified.

11. Having regard to the totality of the circumstances, and without expressing any final opinion on the merits of the case, this Court is of the opinion that the applicant deserves to be released on bail.

12. Hence, following order is passed:

- i) The bail application is allowed;
- ii) The applicant is directed to be released on regular bail in connection with Crime Register No.50 of 2023 registered with Saphale Police Station for offences punishable under Sections 302, 397, 201, 120(B) and 34 of the Indian Penal Code, 1860, upon furnishing a personal bond of Rs.25,000/-

(Rupees Twenty Five Thousand Only) with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall report the Saphale Police Station on first Monday once in three months between 10.00 a.m. to 12.00 noon, until further orders.
 - b) The applicant shall not tamper with the evidence or attempt to influence any witness.
 - c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
 - d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
 - e) The applicant shall not indulge in any criminal activity during the pendency of the trial.
 - f) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.
- 13.** The bail application is allowed and disposed of.

(AMIT BORKAR, J.)