

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

CRIMINAL BAIL APPLICATION NO. 1751 OF 2025

Meeru Bheraram Rathod ... Applicant.
Vs.
The State of Maharashtra ... Respondent.

Mr. Nikhilesh Pote, Advocate for the Applicant.
Ms. M. H. Mhatre, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25th JULY, 2025.

P.C. :

1. Heard Mr. Nikhilesh Pote, learned Advocate for the Applicant and Ms. M. H. Mhatre, learned APP for the State.

2. By the present application, Applicant is seeking bail in Crime No.1190 of 2024 registered at Wakad Police Station, District Pune for the offences punishable under Sections 109(1), 118(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), under Section 4, 25, 27, 35 of the Arms Act and under Section 37(1), 37(3) read with Section 135 of the Maharashtra Police Act and under Sections 3 & 7 of Criminal Law (Amendment) Act, 2013. Said Crime is registered as Sessions Case No.273 of 2025 and is pending on the file of the Additional Sessions Judge, District Pune.

3. There are 3 accused in the present crime. Applicant is accused No. 2.

4. Case of the prosecution is that the Applicant along with two other accused, attempted to commit murder of Shankarappa Dharmanna Rathod (Informant), by use of a dangerous weapon (Sattur and Sickle). Informant suffered grievance injuries on account of the blow inflicted by the Sattur and Sickle.

5. Applicant was arrested on 2nd November, 2024, and since then he is in jail. Criminal Bail Application No.1162 of 2025 filed by the Applicant was rejected by the Additional Sessions Judge, Pune by order dated 5th March, 2025.

6. Mr. Nikhilesh Pote, learned Advocate for the Applicant, submits that the allegations against Applicant are of the Applicant having caught hold of the informant. He submits that none of the witnesses in the said crime have alleged or made any reference to the Applicant either using the weapon Sattur or Sickle or having assaulted the Informant. He submits that the Applicant is in jail for a period of almost 8 months. He submits that the Applicant does not have any criminal antecedents.

7. Ms. M. H. Mhatre, learned APP for the State, submits that the Accused involved in the crime had pre-planned the attack on the Informant. She submits that the accused in the present crime after the assault on the informant, were seen brandishing the weapon to scare the crowd. She submits that there are eye-witnesses to the assault on the Informant.

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

9. Charge sheet reveals that the involvement of the Applicant in the present crime is of catching hold of the Informant. Apart from the said involvement, there is no material brought on record by the prosecution to support its case against the Applicant in the crime. None of the witnesses have referred to the Applicant as been the assailant or having used any weapon. Such allegations are against the other accused in the crime. In such circumstances, the continuation of the Applicant in jail during the pendency of the trial is not warranted. Applicant does not have any criminal antecedents.

10. In view of the above, the present Bail Application is allowed, on the following conditions:-

(a) Applicant is directed to be released on bail in connection with Crime No. 1190 of 2024, registered with Wakad Police Station, Pune, upon furnishing P.R. Bond in the sum of Rs. 25,000/- each with one or two sureties each 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 facts of the case so as to dissuade him/her from disclosing the facts to the Court or any police officer and Applicant shall not tamper with evidence.

(c) Applicant upon release, within 3 days shall furnish to the Investigating Officer, Wakad Police Station, Pune his residential addresses with proof and the contact numbers and

to keep the Investigation Officer intimated about the change in the same from time to time.

(d) Applicant shall report to the Investigation Officer, Wakad Police Station, Pimpri Chinchwad, Pune once in a month i.e. on the first Saturday of every month from 10.00 a.m. to 12.00 p.m., till the framing of charge in Sessions Case No.273 of 2025.

11. Criminal Bail Application No.1751 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)

GAYATRI
RAJENDRA
SHIMPI

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by GAYATRI
RAJENDRA
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2025.07.25
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