

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

Criminal Bail Application No.2432 of 2025

Charles Joseph Nadar
Age: 45 yrs,
R/o- G/203, Bolinj Naka, Western
Portion, Bolinj Gaon Varsal,
Dist.-Palghar.
And R/o Room No.103, Building
No.2, Rajbag Housing Society,
Neral, Tal-Karjat,
Dist Raigad
Currently incarcerated at Taloja
Central Prison

... Applicant.

Vs.

The State of Maharashtra
(Neral Police Station)

... Respondent.

Ms Payoshi Roy a/w Mr Ulkesh Gangurde and Ms Palak
Dubey for applicant.

Mr PP Jadhav, APP a/w Mr Shahaji Shinde, Panel 'B'
Counsel for the respondent / State.

**Coram : R.N.Laddha, J.
Date : 10 November 2025.**

P.C. :

Heard Ms Payoshi Roy, the learned Counsel appearing
on behalf of the applicant, and Mr Prashant Jadhav, the

learned Additional Public Prosecutor representing the respondent/ State.

2. By this application, the applicant seeks bail in connection with CR No.151 of 2020, registered at Neral Police Station, Raigad, for offences punishable under Sections 302, 201, and 404 read with 34 of the Indian Penal Code ('IPC').

3. It is the case of the prosecution that on 16 December 2020, one Mr DR Patil, who was then serving as a Sub-Junior Engineer at Neral Railway Station, while discharging his official duties, noticed that a human leg was lying near the bathroom of the car shed situated at Neral Railway Station. Upon making such a discovery, he immediately conveyed the said information to the Neral Police Station. Pursuant to the said information, the police personnel arrived at the spot and conducted a detailed inspection of the surrounding area and found two separate bags, one lying near the drainage channel and another placed on the parapet wall of the said drainage channel. Upon examination, it was found that both bags contained dismembered human body parts. A spot panchanama was

duly prepared in the presence of panch witnesses, after which the recovered body parts were forwarded to the FSL for detailed examination and analysis. After the completion of the preliminary investigation, the present FIR was duly registered in respect of the said incident. During the investigation, it was revealed that the applicant had committed a brutal murder of the deceased, Sushilkumar Sarnaik.

4. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime and that the case is based solely on circumstantial evidence without eyewitnesses or a confirmed DNA report linking the decomposed body to Sushilkumar. It is submitted that the time of death is uncertain, the CCTV footage is unreliable due to incomplete coverage and power outages, and no identification parade was conducted. The alleged purchase of articles related to the crime lacks recovery and is inadmissible. Alternatively, it is submitted that even if the prosecution's case is accepted, the act occurred under provocation following inappropriate remarks by the deceased towards the applicant's wife and does not

constitute the offence punishable under Section 302 of the IPC. The investigation is complete, the charge sheet filed, and the applicant has been languishing in jail since 17 December 2020.

5. On the other hand, the learned Additional Public Prosecutor representing the respondent/ State, strongly contests the bail plea, citing CCTV footage showing the deceased entering the applicant's building on 12 December 2020 and never exiting thereafter. The applicant is seen making multiple suspicious movements over the next few days, often carrying various bags. The witnesses have confirmed his purchase of a cutter machine and travel bags, with no plausible explanation provided. Blood stains and incriminating items were found at the premises. The Call Detail Records (CDRs) show prior contact with the deceased, and the applicant used the deceased's bank cards posthumously. The trial has commenced with one witness examined and another in the witness box. Forensic analysis of body parts is underway.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the

records. The present application arises from a heinous and gruesome act involving the alleged dismemberment and concealment of human body parts, discovered at Neral Railway Station. The nature of the offence, as disclosed in the FIR and supported by the material placed on record, reveals a *prima facie* case of brutal homicide, punishable under Section 302 IPC.

7. The prosecution has placed reliance on CCTV footage dated 12 December 2020, which allegedly captures the deceased entering the applicant's residential premises and not exiting thereafter. The applicant is subsequently seen making multiple movements while carrying bags, which is consistent with the recovery of dismembered body parts in similar bags. The witness statements corroborate the applicant's purchase of a cutter machine and travel bags, and blood stains were found on the premises. The CDRs establish prior contact between the applicant and the deceased, and the applicant's use of the deceased's bank cards posthumously further strengthens the chain of circumstantial evidence. Furthermore, the trial has commenced, with one witness already examined and another presently under the witness box. The forensic

analysis of the recovered body parts is underway. The applicant's contention that the case is based solely on circumstantial evidence and lacks direct eyewitnesses does not, in itself, warrant bail, particularly when the circumstantial chain appears *prima facie* cogent and unbroken. The absence of a confirmed DNA report or identification parade does not dilute the evidentiary value of the CCTV footage, CDRs, and recovery of incriminating articles. The plea of provocation, even if assumed *arguendo*, does not exonerate the applicant from culpability, especially in light of the brutality involved. The assertion of false implication is a matter of defence to be tested during trial and cannot be a ground for bail at this stage.

8. In view of the foregoing, this Court, in the midst of the trial, is not inclined to grant bail to the applicant. As a result, the application stands rejected.

[R. N. Laddha, J.]