

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

Bail Application No.2463 of 2025

Sameer Alias Anant Jaywant Bahirat

Age 22 years, Occ.: Service,

R/at.: Khamgaon, Tal-Daund,

Dist.: Pune.

(At present languishing in the

Custody of Yerwada Central Prison, Pune).

... Applicant

versus

1. State of Maharashtra

(P.I. Yavat Police Station)

2. Suvarna Rahul Bhujbal

Age 42 years, Occ.: Business,

R/at.: Khamgaon, Gadamodi,

Tal.- Daund, District. -Pune.

...Respondents

Ms Pooja Agarwal, for the Applicant.

Mr Arfan Sait, APP, for Respondent No.1/ State.

Mr Siddharth Jagushte, for Respondent No.2.

GPSI SY Rajput, Yavat Police Station, Pune Rural, is present.

Coram: R.N. Laddha, J.

Date: 10 November 2025

P.C.:

Heard Ms Pooja Agarwal, learned Counsel appearing on behalf of the applicant, Mr Arfan Sait, learned Additional Public Prosecutor representing respondent No.1/State, and Mr

Siddharth Jagushte, the learned Counsel appearing for respondent No.2.

2. By this application, the applicant seeks bail in connection with CR No.784 of 2024, registered at Yavat Police Station, Pune Rural, for offences punishable under Sections 103(1), 351(2), and 352, read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), and Section 4(25) of the Arms Act, 1959.

3. According to the prosecution, on 3 August 2024, the applicant, in connivance with co-accused Amit, is alleged to have conspired and committed the murder of the deceased, Suraj.

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 only allegations against the applicant are that he had allegedly threatened the deceased on three occasions and had met accused No.1, his brother, prior to the incident. The prosecution itself attributes the motive for the alleged crime to the co-accused. It is an admitted fact that the applicant neither participated in the assault nor was present at the scene of occurrence at the time of the incident. It is further submitted that not a single witness has stated that the applicant assaulted

the deceased. The alleged CCTV footage does not attribute any overt act to the applicant. Nothing has been recovered or discovered at his instance, and the investigation has already been completed with the charge sheet duly filed before the competent Court. The applicant has been languishing in jail since 4 August 2024, and the charge is yet to be framed. The applicant is ready and willing to abide by any condition that may be imposed by this Court, including refraining from entering the territorial jurisdiction of Yavat Police Station until the conclusion of the trial and undertaking not to seek relaxation of any such condition.

5. On the other hand, the learned Additional Public Prosecutor representing respondent No.1/State and the learned Counsel appearing for respondent No.2 jointly opposed the applicant's plea for bail, contending that the offence alleged is of a grave and serious nature. They submitted that the incident was not a sudden or impulsive act but rather a premeditated and deliberate assault on the deceased, resulting in the loss of human life. It is further submitted that the applicant is the brother of accused No.1, who is married to the deceased's sister. The applicant and the informant reside in the same village, and prior to the incident, the applicant had met with co-accused. Additionally, it is alleged that the applicant had

repeatedly threatened the informant with dire consequences on several occasions.

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

7. Upon a perusal of the case records, it emerges that the principal act of constituting the alleged assault, which culminated in the death of the deceased, is attributed to co-accused Amit, who is alleged to have wielded a sickle in the commission of the said offence. The applicant is not alleged to have committed any overt act of violence, nor is there any specific imputation of his active participation in the alleged assault that led to the fatality. It is an admitted position that the motive underlying the commission of the offence has been ascribed to the co-accused Amit. Significantly, no incriminating article, weapon, or material object has been recovered or seized at the behest of the applicant during the course of the investigation. The investigation into the present crime stands concluded, and the charge sheet has been duly filed before the competent Court. The applicant has been languishing in jail since 4 August 2024 and the charges have not yet been framed. The applicant is a young individual aged 22 years, with no prior criminal antecedents. The apprehensions expressed by the prosecution regarding the possibility of tampering with

evidence or influencing witnesses can be addressed by imposing appropriate conditions.

8. 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. Hence, the following order:

ORDER

(i) The applicant shall be released on bail in CR No.784 of 2024, registered at Yavat Police Station, Pune Rural, 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 Yavat Police Station until the conclusion of the trial, except for the purpose of attending trial proceedings.

(iii) The applicant shall not, either directly or indirectly tamper with

prosecution evidence or influence prosecution witnesses by way of threats, inducements, or assurances.

(iv) 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.

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

9. The application stands disposed of accordingly.

10. 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.)