

VAISHALI
ANIL
TIKAM

Digitally signed
by VAISHALI
ANIL TIKAM
Date:
2025.08.07
20:13:54 +0530

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

CRIMINAL BAIL APPLICATION NO. 3103 OF 2025

Vinod Mahadev Rakshe

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Aniket Vagal a/w. Mr. Mahesh Yadav, Mr. Sharad Mulik, Ms. Juhi Kadu, Ms. Savvy Kolhekar, Mr. Kunal N. Pednekar, Advocates for the Applicant.

Mr. T.G. Khan, APP for Respondent/State.

Mr. N.P. Bhosale, Head Constable 473, Lonand Police Station, Dist. Satara.

CORAM : ASHWIN D. BHOBE, J.

DATE : 7th AUGUST, 2025

P.C. :

1. Heard Mr. Aniket Vagal, learned Advocate for the Applicant and Mr. T.G. Khan, learned APP for the State.

2. By the present application, the Applicant is seeking bail in C.R. No. 104 of 2025 registered with Lonand Police Station, Satara for the offence under section 103(1), 3(5) of BNS 2023. Said crime is registered as RCC No. 255 of 2025 and is pending before the Court of the Learned Additional Sessions Judge, Phaltan, Satara.

3. There are two accused in the present crime. Dattatraya @ Kaka Vyankat Nimbalkar is Accused No.1, whereas the Applicant is Accused No.2 in the said crime.

V A Tikam

4. Case of the prosecution is that Accused No.1 was having a love affair with one Archana Amil Chinake. Ketan Nimbalkar and Ratnashiv Nimbalkar (deceased) had taken lead in Village Panchayat, Aadarki Khurd for installing CCTV cameras. Dattatraya @ Kaka Vyankat Nimbalkar (Accused No.1) had serious issues with regards to the installation CCTV cameras in the areas, which were the place where the Accused No.1 used to meet Archana Amol Chinake. In view of the said dispute, deceased Ratnashiv was assaulted with deadly weapon (sickle), causing death of Ratnashiv.

5. Accused was arrested on 24th March, 2025. Bail Application No. 93 of 2025 filed by the Applicant was rejected on 22nd July, 2025 by the Court of the Additional Sessions Court, Phaltan, District Satara.

6. Mr. Aniket Vagal, learned Advocate for the Applicant submits that the Applicant has been falsely implicated in the present crime. He submits that there is no material on record to implicate the Applicant in the present crime. He submits that apart from a statement of Sachin Ganpat Gangavane to the extent that one person by name Jadhav having informed him of the deceased Ratnashiv being assaulted by Accused No.1 and Accused No.2, there is no corroboration of the same. He submits that there is no TI parade conducted. He submits that though the CCTV footage is recovered, the Applicant is not seen in the said CCTV footage.

7. Mr. Khan, learned APP by referring the statements of

Sachin Ganpat Gangavane and Ramesh Nimbalkar, submits that there is a reference to the name of Applicant in the statement of the said two witnesses. He submits that apart from the reference to the name of the Applicant in those two statements, there is no material on record against the Applicant.

8. Perused the records with the assistance of the learned Advocates.

9. Perusal of the charge-sheet reveals that Sachin Ganpat Gangavane has made reference to Accused No.1 and Applicant assaulting deceased Ratnashiv. Sachin Ganpat Gangavane apparently does not have personal knowledge of the said fact, which is evident from his statement that he was provided with the said information by one person by name Jadhav. Charge-sheet does not indicate the statement of Jadhav being recorded. Ramesh Nimbalkar in his statement has made a reference to the Applicant exiting from the car along with Accused No.1. Apart from this statement, there is no other role assigned to the Applicant. As submitted by Mr. Aniket Vagal, learned Advocate for the Applicant, the CCTV footage does not show presence of the Applicant, either at the place of incident or the Applicant assaulting the deceased Ratnashive. Prima facie, the material on record does not show the involvement of the Applicant in Crime No. 104 of 2025.

10. Mr. Aniket Vagal states that the Applicant does not have any criminal antecedents.

11. 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 C.R. No. 104 of 2025 registered with Lonand Police Station, Satara on his furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge, Phaltan, Satara.
- 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 such person from disclosing the facts to the Court or any police officer and shall not tamper with evidence.
- c) Applicant shall attend and regularly appear before the Trial Court on each date of hearing, unless specifically exempted by the Court.
- e) Applicant upon his release, within 3 days shall furnish to the Investigation Officer, Lonand Police Station, Satara his residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.

12. The Bail Application No.3103 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)