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

CRIMINAL BAIL APPLICATION NO. 3279 OF 2025

Jayesh Babasaheb Mane

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Ranjeet M. Pawar, Advocate for the Applicant.

Ms. Madhavi Mhatre, APP for Respondent/State.

Mr. Pradip B.-API, Baramati City Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th AUGUST, 2025.

P.C. :

1. Heard Mr. Ranjeet Pawar, learned Advocate for the Applicant and Ms. Madhavi Mhatre, learned APP for the State.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" for short), the Applicant is seeking regular bail in Crime No. 646 of 2024 registered with Baramati City Police Station, Taluka Baramati for the offences punishable under Sections 103(1), 61(2), 189(2), 189(4), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 and under Section 4 read with Section 25 of the Arms Act. Said crime is registered as Sessions Case No. 102 of 2025 and is pending on the file of Additional Sessions Judge, Baramati.

3. There are 10 Accused in the present crime. Applicant is Accused No.1.

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This order is corrected/modified as per Speaking to the Minutes of order dated 16th September, 2025.

4. Case of the prosecution is that on account of previous enmity, there was a clash of two groups, which resulted in the death of Ganesh Waghmode. Applicant was arrested on 22nd August, 2024. Criminal Bail Application No.353 of 2025 filed by the Applicant was dismissed by Additional Sessions Judge, Baramati, by order dated 16th May, 2025.

5. Mr. Ranjeet Pawar, learned Advocate for the Applicant, submits that though the Applicant is named in the FIR, however, there are no allegations in the entire charge-sheet as against the Applicant. He submits that the Applicant is neither alleged to be present at the place of incident nor is the Applicant alleged to have taken any part in the assault on the deceased. He submits that the Applicant does not have any criminal antecedents.

6. Ms. Madhavi Mhatre, learned APP for the State submits that the involvement of the Applicant in the present crime is of showing the place where the conspiracy was hatched. She further submits that this was done pursuant to a panchanama conducted under Section 27 of the Indian Evidence Act.

7. I have perused the records with the assistance of learned Advocates of the parties.

8. Perusal of the charge-sheet reveals that though the name of Applicant is referred to in the FIR, there is no material available in the charge-sheet to either indicate the involvement of the Applicant in the present crime or to demonstrate the Applicant having participated in the assault on Ganesh Waghmode. Ms. Mhatre, learned APP was unable to point out any material from the charge-sheet to indicate the

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involvement of the Applicant in the crime. Material on record, prima facie, does not indicate the complicity of the Applicant in the crime.

9. The Applicant does not have any criminal antecedents as submitted by Mr. Ranjeet Pawar, learned Advocate for the Applicant.

10. In view of the above, the Applicant is entitled to bail, on the following conditions:-

(a) Applicants is directed to be released on bail in connection with Crime No. 646 of 2024, registered with Baramati Police Station, Baramati, upon furnishing PR. 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, Baramati.

(b) Applicant shall attend and report before the Investigation Officer, Baramati City Police Station, Taluka Baramati once in a month i.e. on the first Saturday of each month from 10.00 a.m. to 12.00 p.m., till the framing of charge.

(c) 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 should not tamper with evidence.

(d) Applicant shall attend and regularly appear before the Additional Sessions Judge, Baramati in Sessions Case

No.102 of 2025 on each of hearing unless exempted specifically by the Court.

(e) Applicant upon his release, within 3 days shall furnish to the Investigating Officer, Baramati Police Station, Baramati, 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.

11. Criminal Bail Application No. 3279 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)