

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

Bail Application No.3483 of 2025

1. Krishna S/o Parmeshwar Budhnar
Age – 26 years, Occu- Driver,
R/o. Near Hanuman Mandir,
Khamgaon, Tal-Beed, Dist- Beed.

2. Mahendra S/o Ramnath Shelke
Age-42 years, Occu- Business,
R/o. Canol Road, Surya Lawns,
Shelke Niwas, Beed, Tal-Beed,
Dist – Beed.

... Applicant

versus

The State of Maharashtra
through the Police Station Officer,
Police Station Cantonment, Pune
City, Pune, Dist-Pune (C.R.No.0144 of 2025)
(Copy to be served upon office of the Public
Prosecutor, High Court of Judicature
at Bombay)

... Respondent

Mr Priyal G Sarda, a/w. Mr Anant Devakate and Ms Seema Dighe, for the applicant.

Mr SS Pednekar, APP, for the respondent/ State.

API Vishal Mahadeo Dandaye, Lashkar Police Station, Pune, is present.

Coram: R.N. Laddha, J.

Date: 15 September 2025.

P.C.:

By this application, the applicants seeks bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with CR No.144 of 2025, registered at Cantonment Police Station, Pune, for offences punishable under Sections 308(4), 352, 351(3), and 351(4) read with 61 of the Bharatiya Nyaya Sanhita, 2023.

2. Mr Priyal Sarda, the learned Counsel appearing on behalf of the applicants, asserting the applicants' innocence, contends that the applicants have been falsely implicated in the crime. He submits that the applicants bear no involvement in the incidents purported to have occurred on 28 July 2025, 4 August 2025, and 9 August 2025, and there exists no allegation or evidence suggesting that the applicants demanded any sum of money from the informant on those respective dates. The sole accusation against the applicants pertains to an alleged demand for money on 11 August 2025; however, no incriminating material has been placed on record to indicate the applicants' involvement in the crime.

3. The learned Counsel further submits that the applicants were arrested on 12 August 2025, and the investigation has reached its conclusion, and the charge sheet is yet to be filed.

The continued custodial detention of the applicants pending the commencement of the trial would serve no justifiable purpose, especially in the absence of the recovery or discovery of any incriminating material from and/ or against the applicants. Mr Sarda also submits that the applicants are ready to abide by any conditions imposed by this Court.

4. Mr SS Pednekar, the learned Additional Public Prosecutor representing the respondent/ State, submits that the offence is grave and serious. The applicants demanded money from the informant and threatened him with dire consequences. On instructions, he confirms that the investigation is almost complete, and a charge sheet will be filed within a period of two weeks. However, the learned APP raises concerns about potential evidence tampering and witness influence if the applicant is enlarged on bail.

5. Upon a careful examination of the records, it appears that the applicants stand accused of extortion and issuing threats to the informant, allegedly in the company of accused No.1 at a hotel. *Prima facie*, beyond the bare assertions made by the prosecution, there is no substantial or independent corroborative evidence linking the applicants to the commission of the alleged crime. The investigation, as submitted, is at an

advanced stage and nearing completion; the charge sheet is expected to be filed shortly, and the trial will proceed in due course. Consequently, the possibility of the applicants interfering with the investigative process appears minimal at this juncture. Furthermore, it is not the prosecution's case that any recovery or discovery remains to be effected at the instance of the applicants. While the prosecution has expressed concerns regarding potential tampering with evidence or influencing of witnesses, such apprehensions can be adequately mitigated by the imposition of appropriate conditions. In light of the foregoing, this Court finds it just and proper to grant bail to the applicants. Hence, the following order:

ORDER

(i) The applicants shall be released on bail in CR No.144 of 2025, registered at Cantonment Police Station, Pune, upon furnishing a PR Bond of Rs.25,000/- each with one or more sureties in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required by the investigating officer.

(iii) The applicants, themselves or through any other person, shall not indulge in any activities that may tamper with the evidence or exert influence over witnesses.

(iv) The applicants shall regularly attend and cooperate with the jurisdictional Court for the expeditious disposal of the case.

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)