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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3486 OF 2025

Suresh Mothebhau Patole.

...Applicant.

Versus

The State of Maharashtra.

...Respondent.

Mr. Aniket Vagal, Ms. Juhi Kadu a/w. Ms. Savvy Kolhekar, Advocate for the Applicant.

Ms. Shilpa G. Talhar, learned APP for the Respondent/State.

Mr. T. S. Pawar, PSI, Alandi Police Station.

CORAM: ASHWIN D. BHOBE, J.

DATED: 21st NOVEMBER, 2025.

PC:-

1. Heard Mr. Aniket Vagal learned Advocate for the Applicant and Ms. Shilpa G. Talhar, learned APP for the State.

2. By the present Application, the Applicant is seeking bail in Crime No.46 of 2024 registered at Alandi Police Station, District Pune, for the offences punishable under Sections 302, 201, 392, 120(b) read with Section 34 of the Indian Penal Code, 1860. Said Crime No.46 of 2024 is registered as Session Case No. 104 of 2024 and is pending before the Court of Additional Session Judge, Khed – Rajgurunagar, Pune.

3. There are 3 accused in Crime No.46 of 2024. Supriya Rahul Gadekar

(Accused no. 1), Applicant is Accused No.2 and Rohidas Namdev Sonawane (Accused No. 3).

4. Crime No.46 of 2024 was registered on the basis of complaint lodged by Ganesh Kadam (Informant) who is the maternal uncle of Accused No. 1. Case of the prosecution is that Accused No. 1 was married to Rahul Gadekar. Accused No. 1 was having extra marital relationship with the Applicant. Accused No.1 alongwith Applicant hatched a conspiracy to eliminate Rahul Gadekar (deceased Rahul), he being the hindrance in their relationship. Deceased Rahul was murdered on 23.02.2024.

5. Applicant was arrested on 14.03.2024. Bail Application filed by the Applicant at Exhibit – 13 on the file of Sessions Case No.104 of 2024 was rejected by the Court of Additional Sessions Court Khed- Rajgurunagar, District – Pune on 19.11.2024.

6. Mr. Aniket Vagal, learned Advocate for the Applicant submits that the entire case of prosecution is based on circumstantial evidence. He submits that there is no material to connect the Applicant to the crime.

7. Ms. Shilpa G. Talhar, learned APP for the State submits that the role of the Applicant and the other Co-Accused is established from the circumstances brought out during the investigation. She submits that there are strong circumstantial evidence against the Applicant to indicate the Applicant being involved in the present crime. She submits that Bail Application filed by Accused No. 1 and Accused No. 3 were rejected by this Court. She tenders copies of Order dated 25.02.2025 passed in Bail Application No.4540 of 2024 and Order dated 24.09.2024 passed in Bail Application No.3140 of 2024,

same are taken on record and marked as 'X - colly' for identification. She submits that the Order passed in Criminal Bail Application No.4540 of 2024 was challenged by Accused No. 3 before the Hon'ble Supreme Court in Special Leave to Appeal (Crl) No. 2196 of 2025. By Order dated 22.08.2025 the Hon'ble Supreme Court has dismissed the Special Leave to Appeal (Crl) No. 2196 of 2025, copy of the same is taken on record and marked "Y" for identification. She therefore strongly opposes the present application.

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

9. Alleged incident appears to have happened due to love relation between the Accused No. 1 and the Applicant. Brother of the deceased Rahul in his statement has made reference to the confession made by Accused No. 1 of committing murder of deceased Rahul. Another witness i.e. the lodge owner in his statement has stated that Accused No. 1 and the Applicant had resided in his lodge. Statements of the witnesses, recorded by the Investigating Officer prima facie indicate the role / involvement of the Applicant in the crime. Bail Application No.4540 of 2024 and Bail Application No.3140 of 2024 filed by Co- accused No. 1 and 3 are rejected by this Court and the Hon'ble Supreme Court. Considering the over all facts, the material on record and circumstances of the case, I am not inclined to entertain the present Application.

10. Bail Application No.3486 of 2025 filed by the Applicant is therefore dismissed.

(ASHWIN D. BHOBE,J.)