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

CRIMINAL BAIL APPLICATION NO. 4240 OF 2025

Raj Bhagvan Shinde ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr. Tapan Thatte a/w Mr. Akshay Dingale i/b Mr. Vivek Arote,
Advocates for the Applicant.

Mrs. Shilpa Talhar, APP for the State.

Mr. N. V. Veer – PSI, Bhigwan Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 11th DECEMBER, 2025.

P.C. :

1. Heard Tapan Thatte, learned Advocate for the Applicant and
Mrs. Shilpa Talhar, learned APP for the State.

2. By the present Application, Applicant is seeking bail in Crime
No. 334 of 2024 for the offences punishable under Section 103(1) of
the Bharatiya Nyaya Sanhita, 2003 (for short 'BNS') registered at
Bhigwan Police Station. Crime No. 334 of 2024 is registered as Sessions
Case No. 475 of 2025 and is pending before the Court of Additional
Sessions Judge, Indapur, Pune.

3. Applicant is the sole accused in Crime No. 334 of 2024.

4. Case of the prosecution is that Bhagyashri Kajale (Informant)
lodged an FIR on 15.10.2025 informing that her husband Vijaykumar

Kajale (deceased Vijaykumar) was missing from 14.10.2024 and his dead body was found on 15.10.2024 at Madanwadi. Body of deceased Vijaykumar had bleeding head injuries. A large stone was lying beside deceased Vijaykumar.

5. Applicant was arrested on 15.10.2024. Bail Application at Exhibit-8 filed by the Applicant in Sessions Case No.475 of 2025 was rejected by the Additional Sessions Judge, Indapur, District Pune on 30th September, 2025.

6. Mr. Tapan Thatte, learned Advocate for the Applicant, submits that the entire charge-sheet does not disclose any evidence to implicate the Applicant in the present crime. He submits that the Applicant has been arrested on a false accusation. He submits that as per the prosecution case, deceased Vijaykumar was last seen in the company of the Applicant and one person by name Mauli. He submits that there is a serious doubt about the recovery of the blood stained clothes from the Applicant.

7. Mrs. Shilpa Talhar, learned APP for the State submits that deceased Vijaykumar was last seen in the company of the Applicant. She submits that the recovery of the blood stained cloths from the accused connects the circumstances which are sufficient to show the involvement of the Applicant in the present crime.

8. I have perused the record with the assistance of the learned Advocates.

9. Applicant is arrested on the ground of the Applicant being last seen with deceased Vijaykumar. Prima facie there is no certainty with regards to the time gap between the point of time when the Applicant and deceased Vijaykumar were found together alive and when the deceased was found dead.

10. One witness by name Samit A. Shaikh in his statement has made reference to the deceased Vijaykumar being seen in the company of the Applicant as well as one person by name Mauli on 15.10.2024. Mrs. Shilpa Talhar, learned APP, on instructions from the Investigating Officer states that Mauli named by the witness Samit Shaikh is neither an accused nor is the statement of Mauli recorded in the present crime.

11. The material relied upon by the prosecution to connect the Applicant with the crime is the blood stained clothes recovered from the Applicant. Kajal Ashok Sawant i.e. the sister of the Applicant, in her statement makes a reference to the Police taking the Applicant from their residence at 8.30 a.m. on 15.10.2024. A perusal of the Property and Seizure Form (page 98-99 of the paper book) indicates that the same was conducted between 18.10 hours to 18.40 hours on 15.10.2024. As per the said document the blood stained clothes of the Applicant were seized from the person of the Applicant. Prima facie, Mr. Tapan Thatte, learned Advocate for the Applicant, would be right in submitting that the said facts create a doubt about the recovery of the blood stained clothes from the Applicant.

12. Case of the prosecution is based on circumstantial evidence. In a case of circumstantial evidence there must be a chain of evidence so complete as do not leave any ground for conclusion consistent with the

innocence of the Accused and must show that in all human probabilities the act must have been done by the Accused. The circumstances referred by the prosecution at the most create a doubt. These facts would have to be proved in the trial.

13. Material placed on record prima facie does not support the case of prosecution. Applicant is in custody since 15.10.2024. Investigation is complete and charge-sheet is filed. There is no compelling circumstances for continuing incarceration of the Applicant pending trial.

14. Mr. Tapan Thatte, learned Advocate for the Applicant, states that he has instruction from the Applicant to submit that pending the conclusion of trial in Sessions Case No. 475 of 2025, the Applicant shall not enter the jurisdiction of Bhigwan, Indapur, Police Station.

15. In view of the above, the Application is allowed on the following terms :-

(a) Applicant is directed to be released on bail in connection with C. R. No.334 of 2024 registered with Bhigwan Police Station, Dist. Pune, Rural on his furnishing PR bond in the sum of Rs.15,000/- with one local surety in the like amount to the satisfaction of Additional Sessions Judge, Indapur, Dist. Pune.

(b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with facts of the case so as to dissuade such person/s from disclosing the facts to the Court or any police officer and shall

not tamper with evidence.

(c) Applicant upon his release, within 3 days shall furnish to the Investigation Officer, Indapur Police Station, Pune, 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.

(d) The Applicant shall report to the Investigating Officer, Indapur Police Station, Pune on the 2nd Saturday of every month from 10.00 a.m. to 12.00 p.m., till the framing of charge in Sessions Case No.475 of 2025.

(e) Applicant shall not enter the territorial jurisdiction of Bhigwan Police Station, Indapur till the conclusion of Sessions Case No. 475 of 2025 pending before Additional Sessions Judge, Indapur, Dist. Pune.

(d) Applicant shall co-operate in the conduct of the trial of Sessions Case No. 475 of 2025 and shall regularly attend the hearing of the case pending on the file of Additional Sessions Judge, Indapur Pune, on each and every date, unless exempted from appearance.

16. Criminal Bail Application 4240 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)