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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2549 OF 2025

Ganpat Krishna Fadtare ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Dhanraj Lodha for the Applicant.

Ms. S.M. Yadav, APP for the Respondent/State.

Mr. Vikram Pawar, API attached to Baramati Taluka Police Station
present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 17th SEPTEMBER 2025

PC:-

1. This Application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with FIR No. 149 of 2023 registered under Section 302 read with Section 34 of the Indian Penal Code, 1860.

2. Learned Counsel appearing for the Applicant states that there are total three accused. Accused No.1 - Vishal Ganpat Fadtare has actually participated in the crime. He submits that the only allegation against the present Applicant who is Accused No.2 is that he participated in the conspiracy to eliminate the deceased and accordingly Accused No.1 has committed the crime. He states that same allegations are made against Accused No.3 – Vikram

Ganpat Fadtare. A Learned Single Judge by an order 5th July 2024 has granted bail in Criminal Bail Application No. 364 of 2024 to the Accused No.3. He further submits that Applicant is 78 years old and suffering from various diseases including cancer and brain stroke and he is bedridden. Therefore, the Applicant be released on anticipatory bail.

3. Learned APP strongly opposed grant of pre-arrest bail to the Applicant. She submits that the offence is very serious. There are antecedents. On instructions she submits that charge-sheet is filed on 10th July 2023.

4. Perusal of record shows that Accused No.1 - Vishal Ganpat Fadtare has actually committed the crime of murder. The only allegations against the Applicant is he was part of conspiracy to eliminate the deceased. The deceased and the Applicant are members of the same family and there is dispute with respect to the partition which is going on since 2007. The Applicant has not actually participated in the crime. The Applicant is 78 years old. The investigation is already completed. Accordingly, the Applicant can be granted pre-arrest bail. Hence, the following order :-

ORDER

- (a) In the event of arrest of the Applicant - Ganpat Krishna Fadtare in connection with C.R. No.149 of 2023 registered with the Malegaon Police Station, Pune Rural the Applicant is directed to be released on

bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police Station as and when necessary.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

5. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]