

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3812 OF 2024
WITH
INTERIM APPLICATION NO.1231 OF 2025

Vishal Suresh Malpote ...Applicant
Versus
The State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO.1231 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 3812 OF 2024

Chandrakant Sitaram Chavan ...Applicant/Intervenor

IN THE MATTER BETWEEN:

Vishal Suresh Malpote ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Satyavrat P. Joshi a/w Mr. Samay Pawar, Mr. Yash Fadtare,
Mr. Ishan Paradkar Advocate for the Applicant.

Mrs. Gauri Rao, A.P.P. for the Respondent – State.

None for the Intervenor in Interim Application.

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CORAM : N. R. BORKAR, J.
DATE : 28th APRIL, 2025

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No. 48 of 2024 registered at Paud Police Station, District : Pune for the offences punishable under Sections 302, 307, 323, 504, 143, 147, 148 r/w Section 149 of the Indian Penal Code.

3. According to the prosecution, on the date of incident which took place on 28.01.2024, the present applicant and the other co-accused assaulted the deceased by stone etc. and committed his murder on account of previous dispute.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the copy of the order dated 05.07.2024 in Criminal Bail Application No.3258 of 2024, and the order dated 02.04.2025 in Criminal Bail Application No.31 of 2025 passed by the Sessions Court. By the said orders, the Sessions Court has released the Co-accused Sopan Dattatray Padalghare and Ramesh @ Kalu Sitaram Padalghare on bail.

6. The learned counsel for the applicant submits that similar overt act is attributed to the said co-accused and the present applicant.

7. On the other hand, the learned A.P.P. for the Respondent-State submits that the case is based on direct evidence. It is submitted that considering the nature of offence, the applicant may not be released on bail.

8. I have perused the charge-sheet and more particularly the statement of the eye witness Amol Dhumal. The overt act attributed to the present applicant and co-accused Sopan Dattatray Padalghare and Ramesh @ Kalu Sitaram Padalghare appears to be similar. There are no other criminal antecedents against the applicant. Considering the said facts, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 48 of 2024 registered at Paud Police Station, District : Pune for the offences punishable under Sections 302, 307, 323, 504, 143, 147, 148 r/w Section 149 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the limits of Pune District except to attend the dates before the trial Court till conclusion of trial.

- (iv) Bail Application stands disposed of accordingly.
- (v) In view of disposal of Bail Application, Interim Application for intervenor stands disposed of.

(N. R. BORKAR, J.)