



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(BA) NO. 775 OF 2025

Sandip Rameshwar Kadam Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.VR.Thore,counsel for the applicant.
Ms. Mrunal A.Barabde, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 10/10/2025

- 1) Heard.
- 2) By this application, the applicant has prayed for regular bail in Crime No. 439/2024 registered with Vasant Nagar Police Station, Pusad, for offences punishable under Sections 103(3), 238, 189(2), 191(2), 191(3), and 190 of the Bharatiya Nyaya Sanhita and section 3(2)V 3(2)VA of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
- 3) It is the case of the prosecution that on 30.09.2025 the informant had received a call from his brother Amol Ghose thereby informing him that on 29.09.2024 at between 10 p.m. and 10.30 p.m. his brother was assaulted by the

accused persons namely Samadhan Khadse, Baburao Khadse, Aniket Khandare and Bunty Sasane and injured his brother by knife and thereafter taken him somewhere. After his brother came there, he has lodged the complaint.

4) The learned counsel for the applicant has stated that the complainant has lodged the report after two days of the incident. There is delay of two days. The two other co accused are released on bail. There is no eye witness to the incident. The alleged eye witness has not seen the incident. She has stated that she heard the noise and saw the dispute between these persons. She has not stated about the assault. Considering the circumstantial evidence and as other co accused are released on bail, the accused from whom the knife is recovered is also released on bail. Hence, prayed to release the applicant on bail.

5) The learned APP has opposed the application and stated that there is eye witness. The lady has stated the name of this applicant. The offence is of murder. Considering the gravity of the offence and as the statement is made by the co-accused, there is recovery, hence, prayed to reject the application.

6) Heard both the sides.

7) The name of this applicant is mentioned in the FIR and it appears from the FIR that only on the suspicion the name of the accused is mentioned. There was dispute. Only one witness is there who has stated that she saw the dispute between these persons and deceased. However, from the said statement, it cannot be gathered that she is the eye witness as the statement is not clear whether she saw the incident. The other two witnesses are already released on bail. The accused from whom the knife is recovered, is also released on bail. Considering the circumstances, the case is made out to release the applicant on regular bail. Hence, the following order:-

i) Criminal application is allowed.

ii) Applicant- Sandi Rameshwar Kadam be released on bail in Crime No. 439/2024 registered with Vasant Nagar Police Station, Pusad, for offences punishable under Sections 103(3), 238, 189(2), 191(2), 191(3), and 190 of the Bharatiya Nyaya Sanhita and section 3(2)V 3(2)VA of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 on his furnishing PR. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

The Criminal Application stands disposed of accordingly.

JUDGE