

VRJ

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

BAIL APPLICATION NO.5017 OF 2024

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Pradeep Sitaram Kadam	... Applicant
V/s.	
The State of Maharashtra	... Respondent

S. S. Borulkar (through V.C.) with Mr. Shubham Dhenge i/by S. S. Borulkar for the applicant.

Mr. Pankaj P. Deokar, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 9, 2026

P.C.:

1. By the present application filed under Section 439 of the Code of Criminal Procedure, 1973, the applicant seeks regular bail in connection with Crime Register No. 43 of 2024 registered with Guhagar Police Station for the offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, 1860.
2. It is alleged that that the dead body of one Ganesh Mane was found near the spot of the incident about two months later in a decomposed condition. The allegations against the present applicant are that he was having an illicit relationship with the wife of the deceased. It is alleged that on the day of the incident,

the wife of the deceased met her husband at the spot, where a quarrel ensued between them. Thereafter, the deceased allegedly attempted to assault her, in which she sustained an injury on her hand, and subsequently she left the spot alone. It is further alleged that there is an extra-judicial confession. The daughters of accused No.1 have stated that accused No.1 along with the present applicant (accused No.2) had killed their father.

3. Learned counsel for the applicant submits that there is nothing on record to show the involvement of the present applicant in the alleged offence. It is contended that the tower location of the applicant indicates that he was at Chiplun, whereas the incident is stated to have taken place at Guhagar. The statements of the daughters (victims) show that they were with accused No.1 at the relevant time and they have not mentioned the presence of the present applicant at the spot.

4. Learned APP vehemently opposed the application, submitting that the tower location of the present applicant shows Chiplun as his mobile phone was switched off at the relevant time. It is further contended that there is an extra-judicial confession on record and that the daughters of accused No.1 have given

statements implicating the present applicant. The prosecution also points out that there was a clear motive to kill the deceased. In view of the seriousness of the allegations, learned APP prayed for rejection of the bail application.

5. Heard learned counsel for the applicant and learned APP.

6. The deceased is stated to have died at Guhagar, where accused No.1 along with her daughters had gone. The daughters have given statements regarding the quarrel between their mother and father, and that thereafter their mother came out alone. After approximately two months, the dead body of the deceased was found at the same place in a decomposed condition. From the statements of the daughters of accused No.1, the presence of the present applicant at the spot is not disclosed. The tower location also indicates that the present applicant was at Chiplun at the relevant time. Having regard to the nature of the allegations and the material on record, a case is made out for granting bail to the applicant.

7. Hence, following order is passed:

- i) The bail application is allowed;

ii) The applicant - Pradeep Sitaram Kadam is directed to be released on regular bail in connection with Crime Register No. 43 of 2024 registered with Guhagar Police Station for the offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, 1860, upon furnishing a personal bond of Rs.50,000/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall report the Guhagar Police Station on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
- b) The applicant shall not tamper with the evidence or attempt to influence any witness.
- c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
- d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
- e) The applicant shall not indulge in any criminal activity during the pendency of the trial.

f) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.

8. The bail application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)