

VRJ

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

BAIL APPLICATION NO.3717 OF 2025

VAIBHAV
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Aman Shabbir Nagaraji

... Applicant

V/s.

The State of Maharashtra

... Respondent

Ms. S. G. Acharya with Mr. Ratnadip Nirmale for the applicant.

Mr. Shrikant H. Yadav, APP for the State-respondent.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 9, 2026

P.C.:

1. By the instant bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 the applicant is seeking regular bail in connection with Crime Register No.97 of 2025 registered with Sanjaynagar Police Station, Sangli for offences punishable under Sections 103(1), 189(2), 191(2), 191(3), 190 and 61(2) of the Bharatiya Nyaya Sanhita, 2023, Section 135 of the Maharashtra Police Act, 1951, Sections 4 and 27 of the Arms Act, 1959.

2. The prosecution case, in short, is that on 12/05/2025, the

complainant received a call from his younger brother, Vasim, stating that his friend Azaruddin had informed him that their brother (the deceased) had been attacked by six assailants, namely co-accused Nos. 1 to 6, i.e., Tushar Zingurde, Shrikant Dage, Tanvir @ Tanya Jamadar, Sanjay Gadade, Aman Shabbir Nagaraji (present applicant) and Sandesh. The complainant and his younger brother rushed to the spot and took the deceased to the Civil Hospital, where he was declared dead.

3. Learned counsel for the applicant submits that although the name of the present applicant is mentioned in the FIR, no role has been attributed to him by any eye-witness. It is contended that there is no recovery at the instance of the present applicant. His name is mentioned only along with the other co-accused, without any specific allegation. One of the eye-witnesses has specifically described the role of each of the assailants; however, at that stage also, no role is assigned to the present applicant. Though the clothes of the applicant were seized, there are no bloodstains found on them. Merely because his name appears in the FIR, the applicant has been arrested and taken into custody. He has been in jail since May 2025. In the absence of any specific role attributed

to him, learned counsel prays that the applicant be released on bail.

4. Learned APP vehemently opposed the application, submitting that the deceased was brutally assaulted by all the assailants. Though specific roles are attributed to the other co-accused, the presence of the present applicant at the spot of the incident is consistently mentioned by all the eye-witnesses. In view of his presence at the time of the assault, learned APP prayed for rejection of the application.

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

6. The name of the present applicant is specifically mentioned in the FIR. Even in the supplementary statements, the eye-witnesses have reiterated the name of the applicant; however, no specific role has been attributed to him, unlike the other co-accused. There is no recovery of any weapon at the instance of the present applicant. The post-mortem report indicates that the cause of death is a chop injury to the head. Having regard to the nature of the allegations and the role attributed to the present applicant by the eye-witnesses, 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 - Aman Shabbir Nagaraji is directed to be released on regular bail in connection with Crime Register No.97 of 2025 registered with Sanjaynagar Police Station, Sangli for offences punishable under Sections 103(1), 189(2), 191(2), 191(3), 190 and 61(2) of the Bharatiya Nyaya Sanhita, 2023, Section 135 of the Maharashtra Police Act, 1951, Sections 4 and 27 of the Arms Act, 1959, upon furnishing a personal bond of Rs.25,000/- 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 Sanjaynagar Police Station, Sangli on first Friday 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 indulge in any criminal activity during the pendency of the trial.
 - e) The applicant shall not enter the territorial limits of entire Sangli District during the pendency of the trial, except for the purpose of reporting at the concerned police station or attending Court proceedings, as directed.
 - 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.)