WAKLE
MANOJ
JANARDHAN

Digitally signed by
WAKLE MANOJ
JANARDHAN
Date: 2026.10.14
20:19:49 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1949 OF 2026

Jayesh @ Tejas Lalit Sharma ...Applicant

V/s.

The State of Maharashtra ...Respondent

Mr. Harshvardhan Suryavanshi a/w Adv. Ranveersingh Solanki, for the Applicant.
Ms. K.T. Hiwrale, APP for the Respondent-State.
PSI – S. K. Jadhav, Wagale Estate Police Station, Thane, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 13th OCTOBER, 2026

P.C. :-

1. Heard learned Counsel for the parties. Perused the record.

2. Applicant seeks his release on bail in connection with Cr.No.420 of 2025 registered with Wagle Estate Police Station, Thane, for the offence punishable under Sections 103(1), 109, 238, 352, 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS") and Sections 37 (1) and 135 of the Maharashtra Police Act, 1951, on the report dated 2nd June, 2025 lodged by Mr.Bhavesh Karotiya.

3. The prosecution case is that on 2nd June 2025, at about 5.30 hours, behind Dnyansadhana Collage, Wagale Estate, Thane, a quarrel had occurred between the informant and the accused Ravi Sharma. Therefore, Ravi Sharma had grudge against the informant. As a result, Ravi Sharma along with co-accused Tanishk Singh and the applicant, in furtherance of their common intention, assaulted the informant and his brothers Sahil and Shivam by kicks and fist blows. At that time, the applicant assaulted the informant and had caught hold of him. Meanwhile, co-accused Tanishk Singh took out

a knife and attempted to assault the informant with an intent to kill. The informant warded that blow, but, it hit on his right palm. At that time, the informant defended himself by assaulting Tanishk Singh by means of a Bamboo, but, Tanishk Singh stabbed the deceased Shivam. As a result, Shivam sustained serious injuries and died. Therefore, the aforesaid offence came to be registered. The applicant and 2 others were arrested. On completion of the investigation, police submitted the charge-sheet. The trial Court refused to release the applicant on bail. Hence, this application.

4. Mr. Suryavanshi, learned counsel for the applicant submitted that, the incident had occurred all of a sudden. The applicant had no intention to assault the deceased Shivam. The allegations against the applicant are restricted to assaulting the informant and his brothers by giving kicks and fists. The applicant was not aware that Tanishk Singh would suddenly stab the deceased and cause his death. Therefore, he urged that the applicant be released on bail.

5. Ms. Hiwrale, the learned APP, on the other hand, submitted that all the three accused persons in furtherance of their common intention assaulted the informant and the deceased. During said assault, co-accused Tanishk Singh stabbed the deceased to death. Therefore, the applicant is not entitled for bail.

6. I have considered these submissions. Considering the narration in the report, *prima facie,* it cannot be said that, the applicant was aware that Tanishk Singh would suddenly open a serious assault with knife against the deceased and cause him fatal injuries. The applicant was not armed with any weapon. Therefore, whether the applicant has committed the offence of murder by sharing common intention with co-accused persons is a question of trial. Since the investigation is over and charge-sheet is filed,

therefore, detention of the applicant in jail will not serve any purpose. The applicant is not likely to abscond and tamper with the prosecution evidence. The applicant has no criminal antecedents.

7. Therefore, I am inclined to release the applicant on bail. Hence, following Order:-

(i) Applicant – Jayesh @ Tejas Lalit Sharma shall be released on bail in connection with Cr.No.420 of 2025 registered with Wagle Estate Police Station, Thane, on his furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(ii) The applicant shall mark his attendance at Wagle Estate Police Station, Thane on the 1st day of a month between 11:00 a.m. to 2:00 p.m., till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.

(iv) The applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witness to prevent them from deposing against him.

(v) On being released from jail, the applicant shall furnish his contact number and residential address to the Investigation Officer and shall keep him updated, in case there is any change.

(vi) The applicant shall not indulge in identical activities for which he has been arraigned in this case.

(vii) It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

8. Application stands disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)