Sharada

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3127 OF 2026

Ganesh Vithoba Jadhav .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Akshay Bhakapur, Advocate for Applicant.
- Ms. Shilpa Talhar, APP for Respondent.

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SHARADA RANGNATH WAHULE

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Date: 2026.10.14 16:11:51 +0530

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Bhakapur, learned Advocate for Applicant and Ms. Talhar, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.675 of 2024 registered with Nashik Road Police Station for offences punishable under Sections 103(1), 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The Applicant is arraigned as Accused No. 2 in the present crime and has been indicted for assaulting the complainant with a wooden stick. It appears from the material on record that the incident arose when the co-accused persons, who are the Applicant's grandparents, were involved in a quarrel with their son, who was

allegedly in an intoxicated state and had assaulted his own parents after they refused to give him money. At the relevant time, the parents had gone to the bank, and the injured victim was walking along the road.

4. The Applicant intervened in the quarrel to pacify the situation and protect his grandfather. However, in the course of the incident, both accused persons allegedly assaulted the victim, which ultimately resulted in his unfortunate demise. Considering the circumstances of the incident, it prima facie appears that the assault attributed to the Applicant was not premeditated but occurred in the heat of the moment. The role attributed to the Applicant and the circumstances leading to the incident are borne out by the statements recorded during the investigation.

5. In view of the aforesaid circumstances, I am inclined to consider the Applicant's case favourably for bail. Accordingly, the Applicant is directed to be released on bail, subject to the conditions imposed by the Court.

6. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant is directed to be immediately released from prison in connection with CR. No.675 of 2024 ;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating

Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]