IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3055 OF 2025

Sagar Jayram Indulkar .... Applicant
V/s.
The State of Maharashtra ...Respondent

Mr. Sushan N. Mhatre, appointed for the Applicant.
Ms. S.K. Gajare, APP for the Respondent – State.
Mr. P.G. Kamble, PSI, Kashimira Police Station, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 7th OCTOBER, 2026

P.C. :-

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

2. The applicant seeks his release on bail in Sessions Case No.533/2022 pending before the learned District Judge-6 and Addl. Sessions Judge, Thane arising out of Cr.No.231/2022 registered with Kashimira Police Station, Mira-Bhayander, Vasai-Virar Police for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code ("IPC"), on the report dated 08.04.2022 filed by Mr. Subhash Hiraman Rathod.

3. The prosecution case is that, prior to the incident, there was love relations between sister of accused No.2 and the deceased Sachin Nanavare. Since then, there was enmity between the deceased and the accused side. It is alleged that deceased had shown the houses of the applicant and accused No.2 when the police had come to apprehend them in connection with a case, due to which they were angry at the deceased. There had been previous

disputes and quarrels between the deceased and the accused. On the night of 08.04.2022, a verbal altercation took place between deceased and the accused and the deceased abused the accused persons and referred them as “Chhakka”. Therefore, both the accused has developed grudge against the deceased. Consequently, both the accused committed murder of the deceased on or around 08.04.2022.

4. Mr. Mhatre, learned Counsel for the applicant submitted that the applicant is behind bars for last more than four years and 6 months. Majority of the material witnesses have not supported the prosecution case. However, the prosecution is taking undesired time to examine its witnesses. Therefore, the applicant is entitled for bail.

5. Ms. Gajare, the learned APP submitted that there is CCTV footage on record which indicates that just before the murder, the deceased was seen in the company of both the accused. Till date, the prosecution has examined 16 witnesses. Only Investigating Officer and two Panch witnesses are remained to be examined. The examination-in-chief of said two panch witnesses is already recorded. Now, the CA report is available and the case before the trial Court is fixed on 17.10.2026. Ms. Gajare submitted that on 17.10.2026, the prosecution is going to examine all the witnesses. Therefore, the panchas could be cross-examined on that date. The offence is of serious nature. In this background, and considering the fact that the trial is likely to be over within two to three months, I am not inclined to grant the bail relief as prayed for.

6. As a result, the application is rejected.

7. The prosecution is directed to produce the witnesses on 17.10.2026. The trial Court is requested to record their evidence on the said date.

8. It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail Application. The trial Court shall decide the said case without getting influenced by any of the said observations.

(SHYAM C. CHANDAK, J.)

PREETI HEERO JAYANI
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