HARSHADA H. SAWANT
(P.A.)

# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

## BAIL APPLICATION NO.3787 OF 2026

Nitin Bajirao Sanas .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Sushant J. Tayade (appearing through Video Conferencing) a/w. Mr. Sujit Padvi, Mr. Akshay Ade and Ms. Pallavi, Advocates i/by Sushant J. Tayade Associates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.
- API – Dipti Kasape, Bhor Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 07, 2026

P.C.:

**1.** Heard Mr. Tayade, learned Advocate for Applicant appearing through Video Conferencing and Ms. Newton, 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.166 of 2024 registered with Bhor Police Station, Pune for offences punishable under Section 103(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

**3.** Applicant is arrayed as Accused No.1 in the present case. It is *prima facie* seen that the deceased victim was a close friend of the 3 accused persons and one week prior to the date of incident there was a

non-cognizable complaint lodged by a third party against Accused No. 3 and the victim for they having committed mischief and having damaged the windshield of car of the Complainant.

**4.** The witness statements which are recorded and placed on record *prima facie* show that all four persons i.e. three accused persons and the victim, were drinking and were in a completely intoxicated state of affairs when an argument erupted between them and escalated to a physical fight whereby the three accused persons ended up beating the deceased victim with hand and kick blows The role attributed to the Applicant though not concerned with the motive or for that matter the precursor incident is that he also participated in inflicting kick and fist blows in an intoxicated state.

**5.** The Applicant is behind bars for more than 2 years 3 months. For the above reasons and the ignominy of the trial commencing and for that matter concluding when it has not even commenced being bleak, I am inclined to consider the case of the Applicant for grant of bail.

**6.** Considering the aforesaid, Applicant has made out case for grant of bail subject to following conditions:-

**(i)** Applicant is directed to be immediately released from prison in connection with Crime No. 166 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 surety / sureties of the like amount;

**(iii)** Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

**(iv)** Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

**(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 address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

**(viii)** Any infraction of the conditions shall entail cancellation of 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 of in the above terms.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

HARSHADA HANUMANT SAWANT

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