Sharada

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3817 OF 2026

Amit Jaywant Bahirat .. Applicant
Versus
The State of Maharashtra .. Respondent

.....

- Mr. Vivek Arote a/w Mr. Akshay Dingale, Mr. Harish Garde, Advocates for Applicant.
- Ms. Shilpa Talhar, APP for Respondent.
- API Gadhave, Yavat Police Station,

.....

CORAM : MILIND N. JADHAV, J.
DATE : OCTOBER 12, 2026

P.C.:

1. Heard Mr. Arote, 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.784 of 2024 registered with Yawat Police Station for offences punishable under Sections 103(1), 351(2), 351(3), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The Applicant is arrested on 4th August 2024. The first informant's statement who is the mother of the deceased is appended at page 19. The deceased victim is the brother-in-law of the Applicant. The Applicant and the sister of the deceased got married and were

living in Mumbai pursuant to which due to the harassment meted out to her, she went to stay along with her mother and brother. The FIR statement itself rewards the efforts taken by all family members to reconcile their dispute. It appears that due to the animosity between the parties and in view of the aforesaid relationship between them there was a feud between the bother-in-law and the Applicant which led to the unfortunate incident whereby a singular blow inflicted by the Applicant with an iron sickle during a family verbal altercation resulted in demise of the victim.

4. It is prima facie seen that there was no pre-meditation to eliminate the bother-in-law or murder him. It is prima facie seen from the statement of the first informant itself that both sides attempted to reconcile the difference between the husband and wife. In that view of the matter and considering the long incarceration of the Applicant for the past more than 2 years, I am inclined to consider his Application for grant of bail on parity with the other co-accused person i.e. brother of the Applicant who is already enlarged on bail.

5. 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.784 of 2024;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs.Twenty Five Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at shall report to the concerned Police Station, once every month, on the first Tuesday 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 enter the jurisdiction of the concerned police station except for reporting to the concerned police station i.e. on the first Tuesday of the month between 10:00 a.m. to 12:00 p.m. 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.

6. 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.

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

[MILIND N. JADHAV, J.]