

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3739 OF 2024**

Chetan Prakash RaichurkarApplicant

Versus

The State of MaharashtraRespondent

Mr. Nagesh Khedkar along with Mr. Nikhil Hire and Mr. Vishwajeet Patil,
Advocate for the Applicant.

Mr. B.B. Kulkarni, APP for Respondent-State.

PSI-Balu B. Chopde, Bibvewadi Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 101 of 2023 registered with Bibvewadi Police Station, District Pune, for the offences punishable under Sections 302, 323, 504 read with 34 of the Indian Penal Code 1860.

2. It is prosecution's case that on 24th May 2023 around 11.15 pm, the applicant and co-accused murdered the husband of the first informant by assaulting him with bricks.

3. It is contention of learned counsel for the applicant that the main allegations are against the co-accused, who assaulted the deceased with bricks. The allegations against the applicant are that, at the time of the incident, he was on motorcycle and the co-accused had come with the

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applicant on motorcycle at the incident spot. Learned counsel further submitted that the applicant is behind bars for more than two years and eight months, there is no progress in the trial. The applicant has no antecedents and requested to allow the application.

4. It is contention of learned APP that the applicant and co-accused had come at the incident spot on the motorcycle of the applicant. The applicant was riding the said motorcycle. The co-accused murdered the deceased by hitting him with bricks. There was involvement of the applicant in the crime. The incident is captured in CCTV footage and the applicant is seen in the said CCTV footage. If the applicant is released on bail, he may threaten the prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused the charge sheet and documents produced on record. In the FIR, the allegation of assault to the deceased is against the co-accused. The allegation against the applicant are that he along with co-accused came at the incident spot on motorcycle and when the co-accused assaulted the deceased, at that time, the applicant was standing with his motorcycle. There are no allegation against the applicant of assaulting the deceased. The applicant is behind bars for more than two years and eight months, there is no progress in the trial. There are no

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antecedents against the applicant. Considering these facts, I pass the following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 101 of 2023 registered with Bibvewadi Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when required.
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the victim, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)