

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 4090 OF 2024

Mukund Hari Wagh

... Applicant

Versus

State Of Maharashtra And Ors

... Respondents

**NILAM
SANTOSH
KAMBLE**
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Mr.Sachidanand Tandel, for the Applicant.
Mr.P.P. Jadhav, APP for Respondent-State.
Mr.P.D. Jadhav, Vadhivarhde Police Station, Nashik.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st JANUARY 2026

P.C.:

1. By this Application, Applicant is seeking regular bail in Crime No.363 of 2023 registered with Vadivarhe Police Station, Nashik for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 1860 ('IPC' for short).

2. It is prosecution's case that on 21st November 2023, the Applicant assaulted his wife with iron rod and murdered her.

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3. It is contention of learned counsel for the Applicant that the prosecution case is based on circumstantial evidence. The Applicant is behind bars for more than two years. There is no progress in the trial. It may take time to conclude trial. The Applicant has no antecedents and requested to allow the Application.

4. It is contention of learned APP that the deceased was wife of the Applicant. There are eye witnesses who had last seen the Applicant with the deceased. The Applicant was carrying iron rod in his hand and he assaulted the deceased with said iron rod. The postmortem report also shows injuries on head of the deceased. If Applicant released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. The prosecution case is based on circumstantial evidence. It appears from the statement of the witness that the Applicant and deceased were under the influence of liquor at the time of the incident. To complete the chain of the incidents, evidence is required. The Applicant is behind bars for more than 2 years. There is no progress in

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the trial. The Applicant has no antecedents. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Mukund Hari Wagh be released on bail in Crime No.363 of 2023 registered with Vadivarhe Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)