

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO.163 OF 2025

Tanmay Manoj Gosavi

... Applicant

Versus

State Of Maharashtra

... Respondent

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WITH

CRIMINAL BAIL APPLICATION NO. 1428 OF 2025

Akash Anil Salunke

... Applicant

Versus

State Of Maharashtra

... Respondent

Mr.Kuldeep U. Nikam a/w Mr.Om. N. Latpate, for the Applicants.
Ms.Ranjana Humane, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th JANUARY, 2026

P.C. :

1. These two Applications are arising out of the same crime, hence I am deciding these two Applications by this common order.

2. By this Applications, Applicants are seeking regular bail in Crime No.497 of 2022 registered with Ambad Police Station, Nashik,

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for the offences punishable under Sections 302, 323, 504 read with section 34 of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4 and 25 of the Arms Act.

3. It is prosecution's case that on 28th October 2022 at around 9.00 to 9.15 a.m., the Applicants assaulted the deceased with sharp weapon and stones and murdered him.

4. It is contention of learned counsel for the Applicant's that the incident occurred in a spur of moment and suddenly. The Applicants had no intention to kill the deceased. The statement of witnesses shows that the incident happened out of the sudden quarrel and in the heat of anger. The Applicant's are behind bars for more than 3 years and 2 months. It may take time to conclude the trial and requested to allow the Application's.

5. It is contention of learned APP that, the Applicants assaulted the deceased with sharp weapon with an intention to murder him. There are eye witnesses to the incident. They have specifically stated about the act done by the Applicants. The learned APP further submitted that, the Applicants are identified in Test Identification Parade and requested to reject the Applications.

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6. I have heard both learned counsel. Perused charge-sheet and documents produced on record.
7. It appears from record that the incident occurred out of sudden quarrel and in a spur of moment. To prove intention of the Applicants, evidence is required. The Applicants are behind bars for more than 3 years and 2 months. There is no progress in trial. The Applicants have no antecedents. It may take time to conclude the trial.
8. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Tanmay Manoj Gosavi be released on bail in Crime No.497 of 2022 registered with Ambad Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant-Akash Anil Salunke be released on bail in Crime No.497 of 2022 registered with Ambad Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

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- (iii) The Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (v) The Applicants shall attend the concerned Court as and when required.
- (vi) Applications are allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)