

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.550 OF 2025
WITH
INTERIM APPLICATION NO.4 OF 2026
IN
CRIMINAL BAIL APPLICATION NO. 550 OF 2025

Jitendra Pandurang Gholap ... Applicant

Versus

The State Of Maharashtra ... Respondent

WITH
CRIMINAL BAIL APPLICATION NO. 2352 OF 2025

Abhishek Prakash Gholap ... Applicant

Versus

The State Of Maharashtra & Anr. ... Respondents

Mr.Niranjan Bhavake a/w Mr.Shushant Tayade, Mr.Drishti Madhani
a/w Mr.Anurag Ramekar, Ms.Vaishnavi Chore i/b Mr.Sushant Tayade,
for the Applicant in BA No.550 of 2025.

Mr.Pranav Girme, for the Applicant in BA No.2352 of 2025.

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

Mr.Y.S. Jadhav, PSI, Otur Police Station, Pune

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JANUARY, 2026

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P.C. :

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

2. By these Applications, the Applicants are seeking regular bail in Crime No.334 of 2024 registered with Otur Police Station, Pune, for the offences punishable under Sections 103(1), 238, 61(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 ('BNS' for short).

2. It is prosecution's case that, the Applicants kidnapped the deceased on 1st August 2024 and murdered him on account of land dispute.

3. It is contention of learned counsel for the Applicants that, the prosecution case is based on circumstantial evidence. There is no evidence against the Applicants to connect with the crime. The Applicants are behind bars for more than one year and six months. There is no progress in the trial. They have no antecedents and requested to allow the Application.

4. It is contention of learned APP that, the Applicants had enmity with the deceased due to land dispute, on that ground, he kidnapped and murdered him. The Applicants had motive to kill the

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deceased. The CDR of the Applicants shows that they were present near the spot. It shows their involvement in the crime. If Applicant released on bail he may abscond or threaten the prosecution witnesses. Hence, requested to reject the Application.

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

6. The prosecution's case is based on circumstantial evidence. To prove the chain of circumstances, cogent and complete evidence is required. The Applicants are behind bars for more than one year and six months. There is no progress in the trial.

7. Considering these facts, I pass following order.

ORDER

(i) The Applicant-Jitendra Pandurang Gholap be released on bail in Crime No.334 of 2024 registered with Otur Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant-Abhishek Prakash Gholap be released on bail in Crime No.334 of 2024 registered with

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Otur Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(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) Applications are allowed in the aforesaid terms.

8. All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)