

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 690 OF 2025**

Sahil Krishna Wangade ... Applicant

*Versus*

The State of Maharashtra ... Respondent

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**WITH  
CRIMINAL BAIL APPLICATION NO. 5118 OF 2024**

Nitin Shankar Dalvi ... Applicant

*Versus*

The State of Maharashtra ... Respondent

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Mr. Kuldeep U. Nikam a/w. Mr. Om. N. Latpate and Mr. Samadhan H. Ghumare, Advocates for the Applicant in BA/690/2025.

Mr. Raviraj Paramane a/w. Mr. Pranay Shivthare i/b. Mr. Pranav Parashurami, Advocate for hte Applicant in BA/5118/2024.

Mr. P. P. Jadhav, APP for Respondent-State.

PSI – Mr. Afroz Sheikh, Mumbai Naka Police Station, Nashik, present.

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 14<sup>th</sup> JANUARY, 2026.**

**P.C. :**

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

2. The applicants are seeking regular bail in C.R.No. 128 of 2024 registered with Mumbai Naka Police Station, District Nashik, for the

*S.S.Kilaje*

offences punishable under Section 302, 143, 144, 147, 148, 149 r/w. 34 of Indian Penal Code, 1860 (for short “IPC”) and under Sections 4/25 of the Indian Arms Act and under Section 135 of Maharashtra Police Act.

3. It is prosecution’s case that on 19.04.2024, applicants and co-accused assaulted the first informant and his friend with sickle, chopper and sharp weapons and murdered his friend Piyush Jadhav on the ground of brief quarrel.

4. It is contention of learned counsel for the applicants that names of the applicants are not mentioned in the FIR alleging any specific role of assault to the deceased. The statement of eye witnesses is recorded after two days of incident. In the said statement, the role attributed to the applicants are assaulting the deceased but main role is attributed to the co-accused stating that they assaulted the deceased with chopper and sickle. The applicants are behind bars for 1 year and 8 months. Investigation is completed. Chargesheet has been filed. The applicants have no antecedents and requested to allow the applications.

5. It is contention of learned APP that the applicants were present at the spot of incident when incident happened. The applicants participated with co-accused who assaulted the deceased. There are eye witnesses to the incident. The applicants had common object to kill the deceased. Before the incident of murder of the deceased, there was

*S.S.Kilaje*

quarrel between applicants, co-accused with first informant and deceased. On that ground, the deceased was murdered by applicants and co-accused. If they are released on bail, they may threaten prosecution witnesses and requested to reject the applications.

6. I have heard both the learned counsel. Perused chargesheet and documents produced on record. In FIR, two incidents are mentioned. In first incident, it is mentioned that there was brief quarrel between applicants, co-accused, first informant and his friend and thereafter, they left the spot. In the second incident, it is mentioned that co-accused and applicants came there but, there are no allegations against the applicants of assaulting the deceased. These are allegations against the co-accused. The statement of eye witness is recorded after two days of the incident. In the said statement, he has stated that applicants assaulted the deceased. But in the statement, he has stated that co-accused assaulted the deceased with sickle and chopper. To prove the common objects and role of the applicants, evidence is required. The applicants are behind bars for more than one year and eight months. They have no antecedents. It may take time to conclude the trial. Considering these facts, I pass following order.

#### **ORDER**

- i. The Applicant - Sahil Krishna Wangade in B.A. No. 690 of 2025 and Applicant – Nitin Shankar Dalvi in B.A.No. 5118

*S.S.Kilaje*

of 2024 are released on bail C.R.No. 128 of 2024 registered with Mumbai Naka Police Station, District Nashik, on executing P.R.Bond of Rs.30,000/- each, on furnishing one or two sureties in the like amount.

- ii. The Applicants shall attend the concerned Police Station as and when required.
  - iii. The Applicants shall not tamper with evidence or attempt to influence the witnesses. The Applicants shall not contact the complainant, witnesses or any other person concerned with present case.
  - iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
6. Both the Bail Applications are allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

**(SHIVKUMAR DIGE, J.)**