

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1069 OF 2025**

Omkar Tukaram Shinde

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Aniket Nikam i/b. Mr. Sumit Patil, Advocate for the Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 580 of 2023 registered with Mahalunge M.I.D.C. Police Station, District Pune for the offence punishable under Sections 307, 302, 323, 504 read with Section 34 of Indian Penal Code, 1860 (for short "IPC") and Sections 37(1) and 135 of Maharashtra Police Act.

2. It is prosecution's case that on 01.10.2023, applicant and co-accused assaulted the deceased with wooden rod on the ground that deceased delayed to open the factory gate.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than two years. Yet charge has not been framed. The co-accused having similar allegations have been released on

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bail. The incident occurred suddenly. The applicant had no intention to kill the deceased. It may take time to conclude the trial and requested to allow the application.

4. It is contention of learned APP that the applicant has an antecedent. He along with co-accused assaulted the deceased with wooden rod and murdered him. The applicant had intention to kill the deceased. If applicant is released on bail, he may abscond or threaten prosecution witness and requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. It appears from the record that the applicant and co-accused had gone to Fateja Forging Company and when they asked the deceased, who was security guard to open the gate, he delayed to open the gate. On that ground, there was quarrel between the applicant, co-accused and deceased and during that quarrel, the applicant and co-accused assaulted the deceased with wooden rod. It shows that incident happened out of sudden fight. The applicant is behind bars for more than two years. Yet charge is not framed. It may take time to conclude the trial. Co-accused having similar allegations has been released on bail. In view of above, I pass following order.

ORDER

- i. The Applicant is released on bail in C.R.No. 580 of 2023

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registered with Mahalunge M.I.D.C. Police Station, District Pune, on executing P.R.Bond of Rs.30,000/-, on furnishing 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 evidence or attempt to influence the witnesses. The Applicant 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. The Bail Application is 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.)