

Shubhada S Kadam

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

BAIL APPLICATION NO. 1172 of 2025

Dashrath @ Raj Dattatray Jadhav

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Mr. Priyal G. Sarda, Advocate for the Applicant/s.

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

PSI-Shital Thembe, Haveli Police Station, Pune Rural, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 81 of 22 registered with Haveli Police Station, District Pune, for the offences punishable under Sections 302, 324, 143, 147, 148, 149, 427 and 504 of the Indian Penal Code 1860 (for short "IPC"), Sections 4 and 27 of the Arms Act, Section 7 of Criminal Law Amendment Act and Sections 3(1)(ii), 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

2. It is prosecution's case that on 23rd March 2022, around 5:15 p.m., the applicant and co-accused murdered the brother of the first informant by assaulting him with a sharp weapon. The applicant is a gang leader, and he was sitting in a car when the co-accused was assaulting the deceased.

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3. It is contention of the learned counsel for the applicant that the applicant is behind bar for more than 3 years and 9 months. There is no progress in the trial. There are no allegations against the applicant of assaulting the deceased or the first informant, and hence requested to allow the application.

4. It is contention of the learned APP that the applicant is a gang leader and he has antecedents. He intended to kill the deceased. He was sitting in the car when the incident happened. If the applicant is released on bail, he may threaten the prosecution witnesses and the first informant, and, therefore, requested to reject the application.

5. I have heard both learned counsel, perused the charge-sheet and the documents produced on record. There are no allegations against the applicant of actual assault on the deceased. To show a common object, evidence is required. The applicant is behind bar for more than 3 years. There is no progress in the trial. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 81 of 22 registered with Haveli Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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(ii) The applicant shall attend the concerned police station as and when required.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)