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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1219 OF 2025**

VAISHALI
ANIL
TIKAM

Aditya Sambhaji Murhe

...Applicant

Versus

The State of Maharashtra

...Respondent

Digitally signed
by VAISHALI
ANIL TIKAM

Date:
2026.02.20
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Mr. Vivek Salunke a/w. Mr. Saourabh Raut i/b. Mr. Anuj
Tiwari ,Advocate for Applicant.

Smt. Sangeeta D. Shinde, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th FEBRUARY, 2026.

P.C. :

1. Heard learned counsel for the Applicant and Learned APP for State.

2. By this Application, the Applicant is seeking regular bail in Crime No. 857 of 2023 dated 28/12/2023 registered with Yerwada Police Station, Dist. Pune. for the offences punishable under Sections 302, 323 r/w. 34 of The Indian Penal Code and Section 4(24) of The Arms Act and Sections 45(1), (2), (4) of The Prison Act and sub rule 2,3,8,10,12,35,41,43 of Rule 26 of Maharashtra Prison Disciplinary Rules.

2. It is prosecution's case that on 28/12/2023 at around 3.00 a.m. Applicant and co-accused assaulted the inmate prisoner Mahesh Chandanshive and murdered him.

3. It is contention of learned counsel for the Applicant that the

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Applicant is behind bars more than three years and two months. There is no progress in the trial. There are no direct allegations against the Applicant that he assaulted the deceased with weapon. The allegation of assault with weapon is against the co-accused. The allegations against the Applicant are assaulting the deceased with fist and kick blows.

4. It is contention of learned APP that the Applicant and co-accused brutally assaulted the deceased on the ground of old dispute. There are specific allegations against the Applicant that he caught hold the deceased and other co-accused assaulted him with sharp weapon and murdered him. The incident was witnessed by Police Constable Shrikant More and other inmates. He submits that if Applicant released on bail, he may abscond and requested to reject the Application.

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

6. The incident is witnessed by First Informant Police Constable Shrikant More. In FIR, he has specifically mentioned that Applicant assaulted the deceased with fist and kick blows. The other eye witnesses have also stated the same fact. It has come in the statement of one witness

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that Applicant had caught hold the deceased but he further states that the deceased fall on the ground. So at the time of attack, deceased was not caught hold by the Applicant. The allegations against the Applicant are of assaulting the deceased with fist and kick blows. The main allegation are against the co-accused. The Applicant is behind bars more than two years and two months and there is no progress in trial.

7. Considering these facts, I pass following order.

ORDER

(i) The Applicant-Aditya Sambhaji Murhe be released on bail in Crime No. 857 of 2023 dated 28/12/2023 registered with Yerwada Police Station, Dist. Pune on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(iv) The Applicant shall attend the concerned Police Station as and when required.

(vii) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)