

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1405 OF 2025

Pratik Prakash Gavhane

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Aniket Nikam a/w. Ms. Abhilasha Pawar, Advocates for the Appellant/s.

Mr. S.S.Pednekar, APP for Respondent-State.

PSI – Kaviraj Patil, Mundhwa Police Station present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th JANUARY, 2026.

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the State.
2. Leave to carry out amendment forthwith.
3. By this application, the Applicant is seeking regular bail in C.R.No. 132 of 2022 registered with Mundhwa Police Station, Pune for the offence punishable under Sections 302, 201, 323, 504, 506

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read with Section 34 of the Indian Penal Code, 1860 (for short “IPC”).

4. It is prosecution’s case that on 24.05.2022, there was a quarrel between the Applicant and THE deceased, as motorcycle on which the Applicant was riding gave dash to the deceased. Out of said quarrel, the Applicant and co-accused assaulted the deceased with stone and by fist and kick blows. In the said assault, the deceased has died. It is alleged that the Applicant assaulted the deceased with stone on back side of his head.

5. It is contention of the learned counsel for the Applicant that incident occurred out of sudden quarrel. The Applicant is behind bar for around 3 years 8 months. There is no progress in the trial. The co-accused have been released on bail. Hence, requested to allow the application.

6. It is contention of learned APP that Applicant has 20 criminal antecedents. He assaulted the deceased with stone on his head with an intention to kill him. If the Applicant is released on bail, he may threaten the prosecution witnesses and requested to reject the application.

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7. I have heard all learned counsel. Perused FIR and documents produced on record. From the FIR it appears that incident occurred out of sudden quarrel. Whether Applicant had intention to kill the deceased or not is a part of trial. The Applicant is behind bar for more than 3 years and 8 months. There is no progress in trial, considering these facts I pass following order.

ORDER

- i. The Applicant be released on bail in C.R.No. 132 of 2022 registered with Mundhwa Police Station, District Pune, on executing a 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 the evidence or attempt to influence the witnesses.
- 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

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with law.

8. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(SHIVKUMAR DIGE, J.)

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