

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3767 OF 2025**

Bhanudas Sakharam Ghagare ... Applicant

Versus

The State of Maharashtra ... Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 2124 OF 2025**

Devidas Mohan Ghagare ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Vipul Dushing a/w. Mr. Harsh Shah and Mr. Ashraf Kazi i/b. Ms. Sana Raees Khan, Advocates for the Applicant in both the Applications.
Mr. P. P. Jadhav, APP for the Respondent-State.
Mr. Shekhar Jagtap i/b. J. Shekhar Associates, Advocate for the Intervenor.
PSI – Sunil Ugale, Daund Police Station present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th JANUARY, 2026.

P.C. :

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

2. By these applications, the applicants are seeking regular bail in C.R.No. 909 of 2024 registered with Daund Police Station, Pune for the offences punishable under Section 109(1) and 3(5) of Bhartiya Nyaya

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Sanhita, 2023 (for short “BNS Act”).

3. It is prosecution’s case that on 26.12.2024, at around 4:00 p.m., the applicants and co-accused assaulted the first informant and her husband with axe with an intention to kill them on account of family dispute.

4. It is contention of learned counsel for the applicants that the applicants are behind bars for more than one year. There is no progress in the trial. The applicants have no antecedents. The injuries suffered by the first informant are simple in nature. It may take time to conclude the trial and requested to allow the applications.

5. It is contention of learned APP along with learned counsel for the intervenor that the applicants brutally assaulted the first informant and her husband with axe with an intention to kill them. The first informant has suffered grievous injuries in the said assault, which shows intention of the applicants to kill first informant and her husband. The relatives of the applicants are threatening the first informant and her husband. If applicants are released on bail, they may threaten first informant and her husband. The co-accused are still absconding, hence requested to reject the application.

6. I have heard all learned counsel. Perused chargesheet and documents produced on record. The applicants are behind bars for more

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than one year. There is no progress in the trial. Investigation is completed. Chargesheet has been filed. There are no antecedents. As co-accused is absconding, it may take time to conclude the trial. The applicants cannot be kept behind bars for indefinite period. Considering these facts, I pass following order.

ORDER

- i. The applicants i.e. Bhanudas Sakharam Ghagare in B.A. No. 3767 of 2025 and Devidas Mohan Ghagare in B.A. No. 2124 of 2025 be enlarged on bail in C.R.No. 909 of 2024 registered with Daund Police Station, Pune, 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 the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. Both the Bail applications are allowed in the aforesaid terms and is accordingly disposed of. All pending interim applications, if any also disposed of.

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8. 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.

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

(SHIVKUMAR DIGE, J.)