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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2368 OF 2025

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Somnath Motiram Wagh

Versus

The State Of Maharashtra

Mr.Subodh Pathak with Mr.Durgesh Rege and Mr.Aakash Mishra for Applicant.

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

Mr.Deepak K. Shilawar, Police Constable, Jaikheda Police Station, Nashik is present in Court.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 500 of 2024 registered with Jaikheda Police Station, Tal. Satana, District Nashik under Sections 103, 238 and 61 (2) of the Bharatiya Nyaya Sanhita, 2003.

2. It is prosecution's case that on 13th November, 2024, the applicant and the co-accused killed the deceased, Rambhau Wagh and Naresh Pawar on account of land dispute. The allegations against the applicant are that he destroyed the motorcycle used in the crime by the co-accused. It is the contention of the learned counsel for the applicant that

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the applicant is behind the bars for more than one year and two months. There is no progress in the trial. The allegations against the applicant are that he tried to destroy the motorcycle used in the crime by the co-accused. Except that, there are no allegations against the applicant and requested to allow the application.

3. It is the contention of the learned APP that the applicant tried to destroy the evidence. He was in conspiracy with the co-accused to kill the deceased. He has threatened the family members of the deceased. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses and requested to reject the application.

4. I have heard both learned counsel, perused the charge-sheet and the documents produced on record. It appears from the record that the applicant tried to destroy the motorcycle used in the crime by the co-accused. The applicant is behind the bars for more than one year and two months. There are no allegations against the applicant, of assaulting the deceased. Considering these facts, I pass the following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 500 of 2024 registered with Jaikheda Police Station, Tal. Satana, District Nashik 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.

(iv) The applicant shall not enter in the jurisdiction of Jaikheda Police Station, till recording of evidence of the first informant, except attending Court dates.

5. 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.)