

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2411 OF 2025

Rajesh Chandraram KumarApplicant

versus

The State of MaharashtraRespondent

Mr. Kuldeep U. Nikam, Advocate for Applicant.

Mr. S. R. Agarkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 1258 of 2024 registered with Hinjewadi Police Station, District Pune, for the offences punishable under Sections 103, 109, 118(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 37(1)(3) and 135 of the Maharashtra Police Act.

2. It is prosecution's case that on 31st November 2024, the applicant and the co-accused assaulted the brother of the deceased and injured with wooden stick on his head and murdered him.

3. It is contention of learned counsel for the applicant that the incident occurred suddenly. The applicant had no intention to kill the deceased. The applicant is behind bars for more than one year and four

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months. The applicant has no antecedents and requested to allow the application.

4. It is contention of the learned APP that the applicant assaulted the deceased with wooden stick on his head. The deceased suffered serious injuries. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. It appears that the incident occurred suddenly. To prove the intention of the applicant in the crime, evidence is required. The applicant is behind bars for more than one year and four months. The applicant has no antecedents. It may take time to conclude the trial. Considering these facts, I pass following order: allowing the application on local surety.

ORDER

- (i) The applicant be enlarged on bail in Crime No. 1258 of 2024 registered with Hinjewadi Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two local sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when required.

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- (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.)