

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2751 OF 2025**

Vitthal Sonu Badade ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Chetan H. Deshmukh, Advocate for Applicant.

Mr. B. B.Kulkarni, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No.229 of 2024 registered with Trimbakeshwar Police Station, District Nashik, for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3, 5 and 27 of the Arms Act.

2. It is prosecution's case that on 21st December 2024, around 7:30 p.m., the applicant and co-accused murdered the brother of the deceased by firing at him.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on circumstantial evidence. The applicant is behind bars for more than one year, there is no progress in the trial. The applicant has no antecedents. Hence, requested to allow the application.

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4. It is contention of learned APP that the mobile location of the applicant shows that he was present near the incident spot. It shows his involvement in the crime. There was old enmity between the applicant and the deceased. If the applicant is released on bail, he may threaten the prosecution witnesses, and requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and the documents produced on record. The allegation against the applicant is of conspiracy. To prove conspiracy, evidence is required. The applicant is behind bars for more than one year. To prove the conspiracy and whether the applicant was present near the incident spot, evidence is required. The applicant has no antecedents. He is behind bars for more than one year. Considering these facts, I pass the following order.

ORDER

- (i) The applicant be enlarged on bail in Crime No.229 of 2024 registered with Trimbakeshwar Police Station, District Nashik, on executing P.R.Bond in the sum of Rs.30,000/- with 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 or contact the complainant, witnesses or any person

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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.)