

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3545 OF 2025

Tushar Siddharth Pawar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Chetan Deshmukh, Advocate for Applicant.

Mr. P. P. Jadhav, APP for Respondent-State.

PSI-Vishal Sapkale, Upnagar Police Station, Nashik City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 219 of 2023 registered with Upnagar Police Station, District Nashik, for the offence punishable under Section 302 of the Indian Penal Code 1860.

2. It is prosecution's case that during the intervening night of 28th May 2023 to 29th May 2023, the applicant and co-accused assaulted the deceased with sharp weapon and murdered him.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on extra-judicial confession of the applicant. The incident happened suddenly. The applicant is behind bars for more than 2 years and 9 months. There is no progress in the trial. The co-

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accused, against whom similar allegations are made, has been released on bail. Hence, requested to allow the application.

4. It is contention of learned APP that the co-accused is juvenile and, therefore, he is released on bail. There is recovery of mobile and motor-cycle at the instance of the applicant. The applicant assaulted the deceased with sharp weapon and murdered him. If he 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 from record that the incident happened out of sudden quarrel. The prosecution case is based on extra-judicial confession. The applicant is behind bars for more than 2 years and 9 months. There is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 219 of 2023 registered with Upnagar 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.

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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.)