

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4030 OF 2025

Shubham Vitthal Ugalmugale

... Applicant

Versus

The State of Maharashtra

... Respondent

NILAM
SANTOSH
KAMBLE

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Ms.Kavita Anchan, for the Applicant.

Mr.M.G. Patil, APP for Respondent-State.

Mr.Nikhil M. Pawar, API, Gangapur Police Station, Nashik.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th FEBRUARY 2026

P.C.:

1. By this Application, the Applicant is seeking regular bail in Crime No.97 of 2022 registered with Gangapur Police Station, Nashik, for the offence punishable under Sections 302 read with section 34 of the Indian Penal Code, 1860 ('IPC' for short).

2. It is prosecution's case that on 18th May 2022, near Bendkule Mala on the bank of Godavari River, present Applicant alongwith other co-accused in furtherance of their common intention for unknown reason, committed murder of Prathamesh Khair.

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3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than three years and nine months. There is no progress in trial. The co-accused having similar allegations have been released on bail, and requested to allow the Application.

4. The learned counsel further submitted that earlier the Bail Application of the Applicant was withdrawn before (Justice : N.R. Borkar). Hence matter be placed before same Court.

5. It is contention of learned APP that this Court has decided the two Bail Applications of the co-accused. The Applicant is main culprit who assaulted the deceased. The incident of assault was made live on Instagram, in the said video it shows that the Applicant brutally assaulted the deceased. The learned APP further submitted that the trial is in progress. Fourteen witnesses have been examined. The trial will be concluded within couple of months. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

6. It is contention of learned counsel for the Applicant that only eight witnesses have been examined, there is no eye witnesses. The Applicant has no antecedents. He is law student.

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7. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

8. It appears from record that the Applicant and co-accused brutally assaulted the First Informant in broad day light. They threatened the co-accused to record the said incident in mobile and it was live streamed on Instagram. In video it is seen that the Applicant was assaulting the deceased with wooden stick. After assaulting the deceased the Applicant and co-accused left him in injured condition. The trial is in progress. This Court has decided two Bail Applications of the co-accused, hence, this Court can decide present Bail Application. In my view, the issue of placing the matter before other Bench has been raised only to prolong the decision of Application, as this Court was not inclined to allow the Application. As trial is in progress. There is direct evidence against the Applicant and I pass following order.

ORDER

(i) The Application is rejected.

(SHIVKUMAR DIGE, J.)