

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4041 OF 2025

Sultan Jokhu Nishad

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Mr. Mithilesh Mishra i/b. Mr. Agastya Desai, Advocate for the Applicant.
Mr. B.B. Kulkarni, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail Crime No. 95 of 2018 registered with Panvel Taluka Police Station, Navi Mumbai, for the offences punishable under Sections 302 and 201 read with 34 of the Indian Penal Code 1860.

2. It is prosecution's case that on 27th May 2018, the applicant and co-accused murdered deceased Girdhari on the ground of a contract dispute.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than seven years. There is no progress in the trial. The co-accused, against whom similar allegations are made, has been released on bail, hence, the applicant is entitled to be released on

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bail on the principle of parity and requested to allow the application.

4. It is contention of learned APP that the applicant brutally murdered the deceased. It is further submitted that the applicant is identified in test identification parade. If he is released on bail, he may abscond or threaten the prosecution witnesses, and requested to reject the application.

5. I have heard both learned counsel, perused the charge sheet, and the documents produced on record. The co-accused, against whom similar allegations are made, has been released on bail by this court. Hence, the applicant is entitled to be released on bail on the principle of parity. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 95 of 2018 registered with Panvel Taluka Police Station, Navi Mumbai, 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 concerned with the case.

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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.)