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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4163 OF 2025

VAISHALI ANIL TIKAM

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Date: 2026.03.18 16:41:50 +0530

Manthan Kiran Bhosale ...Applicant
Vs.
The State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO. 4399 OF 2025
IN
BAIL APPLICATION NO. 4163 OF 2025

Gajanan Shrikant Ogale ...Applicant-Intervenor

In the matter between
Manthan Kiran Bhosale ...Applicant
Vs.
The State of Maharashtra ...Respondent

Ms. Sana Raees Khan a/w. Haider Tapia a/w. Palak Kasliwal, Advocate for the Applicant.

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

Mr. Aniket Nikam a/w. Abhilash Pawar a/w. Luv Suchak i/by Sumit Patil, Advocate for the Intervenor.

PSI Ajit Divate, Sant Tukaram Nagar, Pimpri Chinchwad Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MARCH, 2026.

P.C. :

1. Heard learned counsel for the Applicant, learned APP for the State and learned counsel for the Intervenor.

2. By this Application, the Applicant is seeking regular bail in Crime No.765 of 2022 registered with Pimpri Police Station, Pune for the

offences punishable under Sections 302, 363, 364, 364-A, 201 r/w. 120 & 34 of Indian Penal Code.

3. It is prosecution's case that on 08/09/2022, Applicant and co-accused kidnapped the First Informant's minor son, aged 7 years, demanded ransom and thereafter killed him. It is alleged that victim was kindnapped in a car, he was murdered in car his dead body was placed in a plastic bag and kept in dickey of car. The dead body was thereafter kept on the loft of a dilapidated building. It is alleged that Applicant and co-accused demanded Rs.20 crores as ransom through Whatsapp messages from first informant.

4. It is contention of learned counsel for the Applicant that Applicant's name was not mentioned in FIR. At the time of incident, Applicant was 20 years old, he was B.Tech student. He has no criminal antecedents Applicant is behind bars for more than three years and five months. There is no progress in trial. Learned counsel further submitted that the alleged dead body was recovered from a dilapidated building kept in plastic bag. The recovery falsified by the cctv footage panchnama as the CCTV footage panchnama was prepared after 10 days of the incident. The prosecution case is based on circumstantial evidence. Learned counsel submitted that Applicant was not produced before the trial Court on 70 occasions and in entire chargesheet, there is no statement of any witness

showing that the deceased was last seen with the Applicant or he had taken the victim outside the premises, and requested to allow the application. Learned counsel for the Applicant relied on following judgments:

(1) **Shashikumar Alias Shahi Chikna Vivekanand Jumrani Vs. State of Maharashtra** [1],

(2) Zahur Haider Zaidi vs. Central Bureau of Investigation[2],

(3) Santosh Dattatray Jamune vs. The State of Maharashtra[3]

5. It is contention of learned APP along with learned counsel for the Intervenor that the Applicant was residing in the same building as the first informant. He was acquainted with the deceased. When the complaint of kidnapping of the victim was lodged, the Applicant was present with the first informant and was misleading the family. In CCTV footage of the day of incident. Applicant was seen talking with the deceased. The dead body of the deceased was recovered at the instance of the Applicant. The building where dead body was recovered, was a dilapidated building. The said dead body was kept on a loft and ladder was used by the police authorities to retrieve out the said dead body,. No common people had access to the place where dead body was concealed. Learned counsel further submitted that mobile number from which

1 Decided on 02/12/2025 in Special Leave to Appeal (Cri.) No.(s) 12690/2025.
2 Decided on 05/04/2019 in Special Leave to Appeal (Cri.) No. 2123/2018.
3 Decided on 04/08/2015 in Bail Application No, 832 of 2015.

WhatsApp messages of ransom were sent had IP address linked to the mobile belonging to one Asha Kiran Bhosale i.e. mother of Applicant. Learned APP further submitted that Applicant had taken Whatsapp Messenger longin of the mobile number of one Pradip Rajbhar, a labourer for sending extortion messages and the statement of the said labourer has recorded by the investigating officer. In test identified parade, the said witness has identified the Applicant. Learned APP further submitted that the witness Sanket Pophale had seen the Applicant and co-accused carrying something in gunny bag near the place where the dead body was found. This witness has identified Applicant in TI parade. Learned APP further submitted that the Applicant had blackened the glasses of the car in which victim was kidnapped a few days prior to the day of incident. It shows that the Applicant had conspired with the co-accused to kidnap the victim for ransom. Learned APP further submitted that the Applicant and co-accused had purchased the sack in which the dead body of the victim was recovered. The statement of witness Aditya Ighe, shop owner is recorded and the he has stated about purchase of plastic bag from his shop by the Applicant and co-accused on 05/09/2022. Learned APP further submitted that the *i10* Car in which deceased was allegedly murdered, police found blood stains and hair strands of the deceased. The C.A. report shows that the DNA of the said blood stains and hair strands

matches with the DNA of the deceased. Learned APP further submitted that as per observations of the trial Court in Roznama, the Applicant is delaying the progress of trial. Hence requested to reject the application.

6. It is contention of the learned counsel for the Applicant that the glasses of car were blackened 12 days prior to the day of incident. TIP was conducted after one month of day of incident. No role is attributed for the said delay in the TIP. Ransom messages were sent on 09/09/2022 and applicant was seen in the cctv footage on 08/09/2022. Learned counsel further submits that statement of the two witnesses are recorded after 20 days of the incident.

7. I have heard all learned counsel., perused chargesheet and documents produced on record. The bail application of the co-accused has been rejected by this Court. The *i-10* car in which, the deceased was allegedly murdered, belongs to father of the Applicant. The police found blood stains and hair strands in the said car. The C.A. report shows that the DNA of the deceased matches with the said blood stains and hair strands. It shows that deceased was murdered in the said car. Witness Sanket Pophale had seen the Applicant and co-accused carrying something in a white sack near the place where the dead body was found. The said witness has identified the Applicant in Test Identification Parade. Moreover, police has recovered the dead body of the deceased at the

instance of the applicant. The building from which dead body was recovered is situated in an isolated place and dead body was recovered from the loft of one room. The police had to use a ladder to reach the said loft. the circumstances shows that unless a person had prior knowledge of the said spot, an ordinary person would not have been able to locate the spot where the dead body was concealed. Moreover, the sack in which dead body was found, was purchased by co-accused and Applicant. The sack shop owner, Aditya Ighe, has identified the applicant in test identifcation parade. The statement of one Pradip Rajbhar, labourer, whose Whatsapp messenger longin was used by the applicant for ransom messages, his statement has been recorded and he has identified the Applicant. The panchnama dated 19/09/2022 shows that the Applicant had cut his hair on the next day after committing the crime iin order to conceal his identity. Witness Shafid Miya Pirmiya Beganpalli has stated tht on 01/09/2022, two persons had come to his workshop for putting a black film on the glass of their *I*-10 car. The said wintess has also the Applicant in test identifiction parade. The Applicant, with prior planning, had put a black film on the glasses of the car so that nobody could see who was sitting inside the car. All these circumstances *prima facie* show the active involvement of the applicant in the commission of crime. The roznama of the trial Court further shows that Applicant is delaying the

trial. It has been observed in several cases that accused persons do not cooperating with the trial Court in conducting trial and subsequently seek bail on the ground of long incarceration. From the evidence produced on record, it *prima facie* appears that there is direct involvement of the applicant in brutal murder of a seven year old boy and in disposing of his body after demanding ransom. If Applicant is released on bail, he may abscond or threaten the prosecution witnesses. I have gone through the case laws cited by the learned counsel for the Applicant. The facts of cited cases and present case are different.

8. Considering these facts, I pass following order:

(i) Bail Application is rejected.

(SHIVKUMAR DIGE, J.)