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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.4245 OF 2025

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Date: 2026.03.18
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Janu Rama Kavate

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr.Balwant Salunkhe (through V.C.) with Mr.Suraj Dubey for the Applicant.

Mr.Hitendra J. Dedhia, APP for the State – Respondent.

Mr.Sagar T. Mulkar, PSI, Wada, Palghar Police Station is present in Court.

CORAM : R.M. JOSHI, J.
DATE : 18TH MARCH, 2026.

P.C. :-

1. The Applicant aged 80 years seeks bail in connection with Crime No.153 of 2025, registered with Wada, Palghar Police Station for the offence punishable under Section 103 (1) and 238 of Bhartiya Naya Sanhita (BNS).
2. It is the case of the prosecution that the informant reported to the concerned police station about the dead body of

the deceased, who is son in law of the Applicant being found in the house of the Applicant, with injuries and that the said death is homicidal. In connection with this crime, the Applicant came to be arrested. He is in jail since 10th April, 2025.

3. Learned counsel for the Applicant submits that owing to the age of the Applicant and considering the fact that there is no evidence to connect him with the crime, this is a fit case for grant of bail. According to him, during the course of investigation, nothing is revealed in order to attribute any motive to the Applicant to kill the deceased. It is submitted that the trial is not likely to commence or get over within reasonable time and hence Applicant be enlarged on bail.

4. Learned APP opposed the application by pointing out the fact that undisputedly the Applicant and the deceased were staying in the same house. Except for the Applicant, there was no one else in the house who could have killed the Applicant. He drew attention of the Court to the statement recorded under Section 27 of Indian Evidence Act which according to him led to the recovery of weapon of the assault and weapon of assault is

recovered from the house of the Applicant.

5. *Prima-facie* perusal of record does not indicate any motive of the Applicant to commit the murder of deceased. Even in the statement of the wife of the deceased, nothing is attributed to the Applicant. The statement of the Applicant under Section 27 of the Indian Evidence Act is apparently inconsequential as it has not led to any discovery of fact. Though the weapon has been recovered from the house of the Applicant, the same is not at the instance of Applicant. Moreover, there is no further investigation carried out in order to ascertain the fingerprint on the weapon of assault. Suffice it to say that except for the fact that the deceased died at the house of the Applicant, there is no other *prima-facie* material to connect him with the crime. On other hand, the statement of the wife of the deceased indicates that the persons who were got cheated at the hands of the deceased had motive to commit crime. The possibility of some one else committing crime thus exist.

6. Considering the aforestated facts coupled with the age of the Applicant, this Court is inclined to grant bail. Hence the

following order :-

ORDER:

- a). The Application stands allowed.
- b). The Applicant be enlarged on bail in connection with Crime No.153 of 2025, registered with Wada, Palghar Police Station on furnishing PR bond of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.
- c). The Applicant to attend the Trial Court on each dates of hearing unless exempted by the Trial Court.

(R.M. JOSHI, J.)