

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4325 OF 2025

Nihal Ravindra Shinde

...Applicant

versus

The State of Maharashtra

...Respondent

Mr. Aniket Nikam along with Mr. Luv Suchak and Ms. Abhilasha Pawar
i/b. Mr. Sumit Patil, Advocate for Applicant.

Ms. Ranjana D. Humane, APP for Respondent-State.

PSI- S. M. Raygonde, Warje Police Station, Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 2 of 2023 registered with Warje Malvadi Police Station, District Pune, for the offences punishable under Sections 302, 143, 147, 148, 149, 504 and 120B of the Indian Penal Code 1860, Sections 37(1)(3) read with 135 of the Maharashtra Police Act, Section 4(25) of the Arms Act and Section 7 of the Criminal Law (Amendment) Act.

2. It is prosecution's case that on 31st December 2022, the deceased was murdered by the co-accused. It is alleged that the said murder was done on the say of the applicant. The applicant has conspired with the co-accused to murder the deceased on the ground of enmity with the deceased.

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Shubhada S Kadam

3. It is contention of learned counsel for the applicant that at the time of the incident, the applicant was not present. There are specific allegations against the co-accused who assaulted the deceased with sharp weapon and murdered him. The co-accused – Altaf Shaikh, against whom allegations of conspiracy are levelled, has been released on bail. The applicant is behind bars for more than three years, there is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant has antecedents. He had enmity with the deceased. Three to four days prior to the incident, the deceased had quarrel with the applicant. On the say of the applicant, the co-accused murdered the deceased. 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. The allegations against the applicant are of conspiracy. The co-accused, against whom similar allegations are levelled, has been released on bail. The applicant is behind bars for more than three years, there is no progress in trial. The applicant is entitled to bail on principal of parity. Considering these facts, I pass following order :

ORDER

(i) The applicant be enlarged on bail in in Crime No. 2 of 2023

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registered with Warje Malvadi Police Station, District Pune, 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.

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.)