

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4524 OF 2025

Vaibhav Narayan Avchar

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Aniket Nikam a/w. Mr. Dushyant Digamber and L. Suchak i/b.
Abhilasha Pawar, Advocates for the Applicant.

Ms. Dhanalakshmi S. Krishna Iyer, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 568 of 2023 registered with Talegaon Dabhade Police Station, Pune, for the offences punishable under Sections 302, 323 r/w. 34 of Indian Penal Code, 1860 (for short "IPC").

2. It is prosecution's case that on 05.11.2023, around 8:00 p.m., when the first informant and his friend were going to see a movie, at that time, the applicant and co-accused assaulted them with fist and kick blows. It is alleged that applicant stabbed in the chest of the deceased with knife. Due to stab injury, the deceased died.

3. It is contention of learned counsel for the applicant that co-accused having similar allegations have been released on bail. The

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incident occurred suddenly. The applicant is behind bars for more than two years and three months. There is no progress in the trial and requested to allow the application.

4. It is contention of learned APP that role attributed to the applicant and other co-accused are on different footings. The knife used in the crime is recovered at the instance of the applicant. If the applicant released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The co-accused having similar allegations have been released on bail. Hence, applicant is entitled for bail on the principle of parity. The applicant is behind bars for more than two years and three months. There is no progress in the trial. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 568 of 2023 registered with Talegaon Dabhade Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.

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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.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. 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.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)