

Shubhada S Kadam

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

BAIL APPLICATION NO. 4630 of 2025

Nikhil Santosh Misal

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Mr. Shailesh Kharat, Advocate for the Applicant/s.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 121 of 2022 registered with Yerwada Police Station, District Pune, for the offences punishable under Sections 307, 323 and 506 read with 34 of the Indian Penal Code 1860, Section 4(25) of Indian Arms Act and Section 37(1) r/w. 135 of the Maharashtra Police Act.

2. It is prosecution case that on 18th March 2022, around 3:25 to 3:45 PM, the applicant and co-accused assaulted the first informant with a sharp weapon with the intention to kill him on the ground of a brief quarrel.

3. It is contention of learned counsel for the applicant that the applicant is behind bar for more than 3 years and 9 months, and there is

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no progress in the trial. The Hon'ble Supreme Court has released the co-accused, against whom similar allegations are leveled, on bail. Hence, the applicant is entitled to bail on the principle of parity.

4. It is contention of learned APP that the main allegation against the applicant is that he assaulted the informant with a knife. The applicant has three antecedents. If he is released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the charge-sheet, and documents produced on record. The applicant is behind bar for more than 3 years and 9 months and there is no progress in the trial. The co-accused, against whom similar allegations are made, has been released on bail by the Hon'ble Supreme Court. The allegations against the applicant and the co-accused are similar. Considering these facts and on the principle of parity, the applicant is entitled to bail. Hence, I pass following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 121 of 2022 registered with Yerwada 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.

Shubhada S Kadam

(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.)