

Shubhada S Kadam

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

BAIL APPLICATION NO. 4709 OF 2025

Nitin Chandrakant MoreApplicant

versus

The State of MaharashtraRespondent

Mr. Akshay Bankapur, Advocate for the Applicant.

Ms. Veera Shinde, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd FEBRUARY, 2026.

P.C. :

1. By this application, the applicants are seeking regular bail in Crime No. 253 of 2024 registered with Nandgaon Police Station, District Nashik, for the offences punishable under Sections 302, 120-B, 201 read with Section 34 of the Indian Penal Code 1860.

2. It is prosecution's case that the applicant and co-accused murdered the deceased.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on circumstantial evidence. There is no evidence mentioned in the charge-sheet against the applicant. The allegations against the applicant are that he brought the co-accused, who is his mother, from the incident spot to their home. The co-accused, against

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whom the allegations are on higher footing, have already been released on bail. The applicant is behind bars for more than 1 ½ year, there is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant was aware about the incident. He brought the co-accused, who is his mother, from the incident spot to their home. He had conspired to kill the deceased and requested to reject the application.

5. I have heard both learned counsel, perused the charge-sheet and documents produced on record. The prosecution's case is based on circumstantial evidence. The allegations against the applicant in the FIR are that he had brought the co-accused, who is his mother, from the incident spot to their home. There are no allegations against the applicant that he participated in the murder of the deceased. To prove the charges of conspiracy, evidence is required. The applicant is behind bars for more than 1 ½ year, there is no progress in the trial. Considering these facts, I pass the following order.

ORDER

- (i) The applicant be enlarged on bail in Crime No. 253 of 2024 registered with Nandgaon Police Station, District Nashik, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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- (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.)