

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4804 OF 2025**

Mehul Kailas Gaikwad

... Applicant

Versus

State of Maharashtra

... Respondent

Mr. Priyal G. Sarda i/b. Mr. Shubham S. Sane, Advocate for the Applicant.
Mr. S.R.Agarkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 74 of 2025 registered with Chikhali Police Station, Pune, for the offences punishable under Sections 103(1) and 238 of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”).

2. It is prosecution’s case that applicant and co-accused murdered the deceased for unknown reasons.

3. It is contention of learned counsel for the applicant that there is no evidence produced on record to show involvement of the applicant in crime. The prosecution’s case is based on circumstantial evidence. The applicant is behind bars for one year and two months. The applicant has no antecedents. The applicant has been arrested in the present case on the

S.S.Kilaje

basis of suspicion. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the incident is captured in CCTV. The applicant is arrested on the basis of CCTV footage. The applicant and co-accused murdered the deceased and threw his body. If the applicant is 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 prosecution's case is based on circumstantial evidence. There is no recovery at the instance of the applicant. The applicant has no antecedents. The applicant is behind bars for one year and two months. It may take time to conclude the trial. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 74 of 2025 registered with Chikhali 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.
- iii. The applicant shall not tamper with the evidence or

S.S.Kilaje

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.)