

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

ANTICIPATORY BAIL APPLICATION NO.2276 OF 2025

Omkar Devendra Patil

... Applicant

V/s.

The State of Maharashtra

... Respondent

Ms. Manisha Jadhav, Rohidas Bhore i/by S. K. Kamble for the Applicant.

Mr. S. R. Shinde, 'B' Panel Counsel for the Respondent-State.

CORAM : N.R. BORKAR, J.

DATE : 29TH JANUARY 2026

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1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.124 of 2019 registered with Palghar Police Station for the offences punishable under Sections 302, 364, 365, 120(B), 201 read with 34 of the Indian Penal Code.
3. It is the case of the prosecution that on the date of the incident, which took place on 09th May 2019, on account of previous dispute, the present Applicant and other co-accused abducted the deceased and committed his murder. It is alleged that to destroy the evidence, the dead body of the deceased was burnt.
4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

5. Learned Counsel for the Applicant submits that the prosecution has already filed chargesheet against the other co-accused. It is submitted that there is no incriminating material against the present Applicant in the said chargesheet. It is submitted that the trial has commenced against the other co-accused and therefore there is no need of custodial interrogation of the present Applicant.

6. On the other hand, Learned APP for the Respondent-State submits that the Applicant is absconding since the date of registration of crime. It is submitted that as the Applicant was absconding, the application was made before the competent court for issuance of proclamation. It is submitted that there is enough incriminating material against the Applicant to connect him with the alleged crime. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. I have perused the statement of witnesses including the statement of witness Sizin Gopinathan. *Prima facie* from the statement of witnesses it appears that the Applicant was part of conspiracy so also he was with the other co-accused at the time of alleged abduction. It further appears that there is a CCTV footage in which the Applicant can be seen along with the other co-accused. Considering the overall facts and circumstances of the case, I am not inclined to release the Applicant on anticipatory bail. Hence, the present Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)