

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 69 OF 2026

Santosh Shivaji Waghmare

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr.Vikrant V. Phatate a/w Mr.Mahesh S. Arjun and Mr.Samadhan Gade,
for the Applicant in BA No.69 of 2026.
Mr.P.P. Jadhav, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th FEBRUARY 2026

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 731 of 2023 registered with Ambad Police Station, Nashik, for the offences punishable under Sections 363, 364, 302, 201, 143, 147, 148, 149 Indian Penal Code, 1860 (for short "IPC").

2. It is prosecution's case that on 24.11.2023, the applicant and co-accused assaulted the deceased and murdered him on the ground of old dispute.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than two years. The applicant has no

N.S.Kamble

antecedents. The main allegations are against the accused Nos. 1 and 2. The allegations against the applicant are that he was present at the time of incident and he is friend of co-accused and requested to allow the application.

4. It is contention of learned APP that the applicant in conspiracy with the co-accused murdered the deceased. There are eye witnesses to the incident. The applicant was present at the spot of incident. He participated in assault on the deceased. 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 statement of eye witnesses shows that main allegations are against the co-accused. The allegations against the applicant are that he was present at the time of incident. There are no allegations against the applicant of assaulting the deceased. To prove conspiracy in the crime, evidence is required. The applicant has no antecedents. The applicant is behind bars for two years. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 731 of

N.S.Kamble

2023 registered with Ambad Police Station, Nashik, 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 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.)