

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 147 OF 2026

Nitin Vitthal Ghuge

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr.Akshay Bankapur, for the Applicant.
Mr.S.M. Mangaonkar, APP for Respondent-State.
Mr.Sunil Ankolikor, API, Indiranagar Police Station, Nashik City.

CORAM : SHIVKUMAR DIGE, J.

DATE : 05th MARCH 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.114 of 2025 registered with Indiranagar Police Station, Nashik for the offences punishable under Sections 103(1), 109(1), 189(4), 190, 191(1), 191(3), 324(4), 49, 115(2), 353, 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short), Sections 4 and 25 of the Arms Act, Section 135 of the Maharashtra Police Act and Section 7 of Criminal Law Amendment Act.

2. It is prosecution's case that on 13th April 2025, the Applicant and co-accused murdered the deceased by assaulting him with sharp weapons.

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3. It is contention of learned counsel for the Applicant that no specific allegations are made against the Applicant, except the Applicant was brandishing a sword in air, at the time of the incident. There are no allegations against the Applicant of assaulting the deceased. The main allegations are against the co-accused. The statement under Section 164 of the Cr.P.C. of the witnesses is recorded and he has stated that the co-accused Vijay Malekar assaulted the deceased with knife. The Applicant is behind bars for more than ten months. The Applicant has no antecedents. There is no progress in trial, and requested to allow the Application.

4. It is contention of learned APP that, the Applicant and co-accused brutally assaulted the deceased. At the time of the incident, the Applicant was brandishing sword. He had parked his motorcycle near the incident spot. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. It appears from record that the main allegations of assaulting the deceased are against co-accused Vijay Malekar. To show involvement of the Applicant in the crime, evidence is required. The Applicant is behind bars for more than ten months. The Applicant has no antecedents. There is no

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progress in trial. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.114 of 2025 registered with Indiranagar Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall report to the concerned Police Station, once in a month on 1st Monday between 11.00 a.m. to 1.00 p.m., till framing of charge.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)