

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.158 OF 2026**

Shantanu @ Rushikesh Mukund GhumareApplicant

versus

The State of MaharashtraRespondent

Mr. Kuldeep S. Patil along with Mr. Nikhil G. Hire, Mr. Nagesh S. Khedkar, Mr. Aadesh Konde-Deshmukh, Mr. Sumit Nimbalkar and Mr. Anay Joshi, Advocate for Applicant.

Mr. Prashant P. Jadhav, APP for Respondent-State.

Mr. A. S. Bairagi, GPSI, Pimpalgaon Baswant Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 247 of 2023 registered with Pimpalgaon Baswant Police Station, District Nashik, for the offences punishable under Sections 302, 201, 120-B and 34 of the Indian Penal Code 1860.

2. It is prosecution's case that the applicant and co-accused murdered the deceased on the ground that the deceased had a love affair with the sister of the applicant.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on circumstantial evidence. At the time of the incident, the applicant was 21-year-old student. He has no antecedents.

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Shubhada S Kadam

Investigation is completed and charge sheet has been filed. There is no progress in the trial. The applicant is behind bars for more than two years and four months, and requested to allow the application.

4. It is contention of learned APP that the applicant had motive to kill the deceased as deceased had love affair with the sister of the applicant. On that count, the applicant had anger in his mind against the deceased. The applicant and co-accused murdered the deceased by assaulting with a spade on his head and other parts of his body and threw his body in a well by tying it with stones. The spade used in the crime is recovered at the instance of the applicant. The blood-stained clothes are also recovered at the instance of the applicant. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. The prosecution's case is based on circumstantial evidence. To prove the case against the applicant, trial is required. At the time of the incident the applicant was 22 years old and he is a student. He is behind bars for more than two years and four months and there is no progress in the trial. If he remains behind bars, his academic career will be ruined. It may take time to conclude the trial. Considering these facts, I pass following order :

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ORDER

- (i) The applicant be enlarged on bail in Crime No. 247 of 2023 registered with Pimpalgaon Baswant 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.
- (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.)