

Shubhada S Kadam

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

BAIL APPLICATION NO. 431 OF 2026

Bandu Bhiva Kale ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Vivek Arote along with Mr. Akshay Dingale, Advocate for the Applicant.

Ms. Mahalaxmi Ganapathy, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No.646 of 2024 registered with Baramati Police Station, District Pune, for the offences punishable under Sections 103(1), 61(2), 189(2), 189(4), 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 4(25) of Indian Arms Act.

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

3. It is contention of learned counsel for the applicant that co-accused Jayesh Mane, Somnath Yadav and Bhoya @ Kishore Bhise, against whom similar allegations have been leveled, are released on bail, hence, the applicant is entitled to bail on the principle of parity and requested to allow the application.

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4. It is contention of learned APP that parity will not be applicable as the applicant actively participated in committing murder of the deceased. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. The co-accused, against whom similar allegations have been made, are released on bail. Hence, the applicant is entitled to bail on the principle of parity and I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No.646 of 2024 registered with Baramati Police Station, District Pune, 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.

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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.)