

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 442 OF 2026

Dhanraj Balu Dubhase

....Applicant

versus

The State Of Maharashtra

....Respondent

Mr. Shailesh Kharat, Advocate for Applicant.

Mr. M. G.Patil, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 546 of 2023 registered with Ghoti Police Station, District Nashik, for the offences punishable under Sections 302 read with Section 34 of the Indian Penal Code 1860 and Sections 4 read with Section 25 of the Indian Arms Act.

2. It is prosecution's case that on 14th November 2023, the applicant and co-accused murdered the deceased on the ground of an old dispute.

3. It is contention of learned counsel for the applicant that the main allegations are against the co-accused, who assaulted the deceased with a sickle and stone. The allegation against the applicant is that he provided a sharp weapon to the co-accused while assaulting the deceased.

Shubhada S Kadam

There are no allegations against the applicant of directly assaulting the deceased. The statements of the two eyewitnesses differ. The statement of one eyewitness shows that the applicant gave a sharp weapon to the co-accused, whereas the statement of the other eyewitness shows that the applicant was present but did not give any weapon to the co-accused. The applicant is behind bars for two years and four months. The applicant has no antecedents. There is no progress in the trial and requested to allow the application.

4. It is contention of learned APP that there are specific allegations against the applicant that he provided a sharp weapon to the co-accused, which was used in the crime. It shows his involvement in the crime. 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 all learned counsel, perused charge-sheet and documents produced on record. The allegation against the applicant is that while the co-accused assaulted the deceased, the applicant provided a sharp weapon to the co-accused. It appears that the co-accused were already assaulting the deceased with a sickle and stone. To prove the role of the applicant, trial is required. The applicant has no antecedents. He is behind bars for two years and four months. There is no progress in the trial. Considering these facts, I pass the following order:

Shubhada S Kadam

ORDER

- (i) The applicant be enlarged on bail in Crime No. 546 of 2023 registered with Ghoti 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.)