

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 470 OF 2026

Shubham Umesh Waghmode

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Ganesh Bhujbal along with Mr. Tushar Nikam, Advocate for Applicant.

Mr. S. R. Agarkar, APP for Respondent-State.

PSI-Dasharath Yallappa Nandiwale, Yavat Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 553 of 2025 registered with Yavat Police Station, District Pune, for the offence punishable under Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023.

2. It is prosecution's case that the applicant and co-accused murdered the deceased on the ground that the deceased had love-affair with accused No.4, who is the wife of accused No.1. It is alleged that all accused, in conspiracy, murdered the deceased.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on circumstantial evidence. The applicant had no motive to kill the deceased. The applicant has no antecedents. He is

SHUBHADA
SHANKAR
KADAM

Digitally signed by
SHUBHADA SHANKAR
KADAM
Date: 2026.05.06
10:33:39 +0530

Shubhada S Kadam

behind bars for more than ten months. It may take time to conclude the trial and requested to allow the application.

4. It is contention of learned APP that the deceased was brutally murdered by the applicant and co-accused. The mobile of the deceased was recovered at the instance of the applicant, which shows his involvement in the crime. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. The applicant has one antecedent. Hence, requested to reject the application.

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

6. The prosecution's case is based on circumstantial evidence. The applicant had no motive to kill the deceased. Though the mobile was recovered at the instance of the applicant, its evidentiary value can be considered at the time of the trial. The applicant is behind bars for more than ten months. It will take time to conclude the trial. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 553 of 2025 registered with Yavat 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.

Shubhada S Kadam

- (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.)