

Navnath Waghmare (RA)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 484 OF 2026

Akhilesh Kumar Pyarelal Gautam	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Abhinav Dubey a/w rajlaxmi Dubey, M. Das, Jyoti Paiari for
the Applicant.
Mr. M.S. Sonovane APP, for the Respondent-State.
Mr. Shekhar Pawar, PSI, RAK Police station, Mumbai.

CORAM: R. M. JOSHI, J.

DATED: 10th MARCH, 2026

PC:-

1. This application is filed by the Applicant seeking bail in connection with F.I.R. No. 1017 of 2021 (CR No. 705 of 2022) registered with Kurar Police Station, Mumbai, for the offence punishable under Section 302 of the Indian Penal Code (for short 'IPC').

2. It is the case of the prosecution that on 27.07.2022 informant went to the house of deceased- Manisha at about 11:15 p.m., when he opened the door, she was found lying in the pool of blood. He immediately went to the owner of the said room and

informed about him about the said incident. Police was called, on the basis of report lodged by the informant, evidence came to be registered against unknown person. investigation was carried out into the evidence, in the investigation it was found that there was relationship between applicant-accused and deceased. The relatives of the deceased opposed the said relations, as they found out that the applicant is not doing any work. During the course of investigation it was found that in the CCTV footage applicant was seen entering the area of the society at around 8:45 p.m. and leaving at about 10:00 p.m., he was seen wearing brown color raincoat. During the course of investigation, raincoat and cloths containing blood stains were seized. He came to be arrested on conclusion of investigation and chargesheet is filed.

3. Learned Counsel for the applicant submits that in this case there is no direct evidence showing the involvement in the crime in question. It is his submission that in the case of circumstantial evidence where chain of circumstance is not established. The applicant-accused would be entitled to enlarge on bail. It is his submission that with regard to the nature of offence is recorded, this is a fit case for grant of bail.

4. Learned counsel for the APP, opposed the application by contending that though this is a case of circumstantial evidence, there is no more evidence on record in order to show complicity of the applicant in this crime. It is submitted that having regard to the

serious nature of the offence, this is not the fit case of the enlargement of applicant on bail.

5. Merely because the case is based upon circumstantial evidence, the applicant would not be entitled to bail, if the evidence on record *prima-facie* indicates his involvement in the crime. Perusal of the chargesheet shows that there are statements of witness indicating relationships between the applicant and deceased. There is evidence in the form of CCTV footage showing presence of the applicant nearby the spot of the incident at the relevant time. Apart from this there is recovery of knife as well as clothes of the accused stained with blood. This evidence is more than sufficient to accept *prima-facie* involvement of the applicant in the crime.

6. Having regard to the nature of offence, this is not a fit case for grant of bail.

7. Hence, Application is rejected.

(R. M. JOSHI, J.)