

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 487 OF 2026**

Om Balasaheb Nimhan

...Applicant

VERSUS

The State Of Maharashtra

...Respondent

Mr. Priyal Sarda, Advocate for Applicant.

Mr. S. S. Pednekar, APP for Respondent-State.

API-Patil N. D., Chaturshringi Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 80 of 2025 registered with Chaturshringi Police Station, District Pune, for the offences punishable under 103, 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 37(1) r/w. 135 of the Maharashtra Police Act and Section 4(25) of Indian Arms Act.

2. It is prosecution's case that on 8th February 2025, the applicant and co-accused, in conspiracy, murdered the father of the first informant by assaulting him with a sharp weapon on the ground of an old dispute.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than one year. The applicant has no antecedents. The entire incident is captured on CCTV footage. It does not

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show the applicant assaulting the deceased, only his presence is shown. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant conspired with the co-accused and was present at the spot. The accused assaulted the deceased with sharp weapons and committed murder. If the applicant is released on bail, the applicant may abscond or threaten witnesses. Hence, requested to reject the application.

5. I have heard both sides, perused charge-sheet and documents produced on record. The incident is captured in CCTV footage, but the applicant is not seen assaulting the deceased, only his presence is shown. Whether he conspired or not is a matter of evidence. The applicant is behind bars for more than one year. He has no antecedents. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 80 of 2025 registered with Chaturshringi 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.

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- (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.)