

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 542 OF 2026

Rahul Maganlal Bagmar Alias Jain

... Applicant

VERSUS

The State Of Maharashtra & Anr.

... Respondents

Mr. Pratik Kalantri a/w. Mr. Akshay Bankapur, Advocate for Applicant.

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

Mr. Aniket Pawar, Advocate for the Intervenor.

PSI – Mr. Chetan Shriwant, Crime Brnach, Unit-1, Nashik City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MAY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 512 of 2025 registered with Panchvati Police Station, Nashik, for the offences punishable under Sections 109(1), 118(2), 118(1), 74, 126(2), 127(2), 308(3), 308(4), 189(1), 189(2), 189(4) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Section 135 of Maharashtra Police Act, 1951.

2. It is prosecution’s case that on 26.02.2025, co-accused assaulted Rahul Nandan, Hotel Manager of the complainant with intention to kill him on the ground that he was not paying extortion money to applicant and co-accused.

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3. It is contention of learned counsel for the applicant that allegations against the applicant are of conspiracy. The applicant is behind bars for more than six months. Learned counsel further submitted that applicant undertakes not to enter in Nashik City till recording evidence of first informant and injured. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant is a habitual criminal. The applicant has antecedents. On earlier occasion, prior to incident, applicant threatened the first informant and injured. The NCs were filed against the applicant and co-accused. On the day of incident, co-accused assaulted the injured on the say of the applicant. If the applicant is released on bail, he may abscond or threaten prosecution witnesses and requested to reject the application.

5. I have heard all the learned counsel. Perused chargesheet and documents produced on record. Admittedly, at the time of incident, applicant was not present. The allegations against the applicant are of conspiracy, to prove it, evidence is required. The applicant undertakes that he will not enter in Nashik City till recording evidence of injured person. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 512 of 2025

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registered with Panchvati Police Station, Nashik, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.

- ii. The applicant shall not enter in Nashik City till recording evidence of injured witness except attending Court dates.
- iii. The applicant shall attend the concerned police station as and when required.
- iv. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. 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.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)