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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 765 OF 2026

VAISHALI
ANIL
TIKAM

Sandip Shantaram Nikale
VERSUS
The State Of Maharashtra

....Applicant

....Respondent

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Ms.Sana Raees Khan, Advocate for Applicant.
Mr. P.P. Jadhav, APP for Respondent-State.
HC 1550 B.R. Birnar, Ghoti Police Station present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th APRIL, 2026.

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the State.
2. By this application, the applicant is seeking regular bail in Crime No. 188 of 2023 registered with Ghoti Police Station, Nashik for the offence punishable under Sections 302 r/w. 34 of the Indian Penal Code, 1860 (for short 'IPC').
3. It is prosecution's case that Applicant along with co-accused murdered the brother-in-law of first informant. It is alleged that the Applicant is brother-in-law of the first informant. He married with the sister of the informant. In spite of that he kidnapped/ eloped with younger sister of the informant and kept her separately and was living with her.

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The deceased being elder brother-in-law of the informant, confronted about the act of the Applicant. Due to said confrontation, it is alleged that applicant had anger in his mind against the deceased and on that count, he along with co-accused assaulted the deceased with steel rod and murdered him.

4. It is contention of learned counsel for the Applicant that the co-accused, having similar allegations and who participated in the assault to the deceased, have been released on bail. Hence, Applicant is entitled for bail on principle of parity. Learned counsel further submitted that no NC or other documents produced on record to show that Applicant had kidnapped the younger sister of the first informant. Applicant is behind bars for more than three years. There is no progress in the trial. No any specific role is attributed to the Applicant. There are general allegations against the applicant. The co-accused Sagar Sonawane, having similar allegations, has been released on bail. There is delay in recording the statements of the eye witnesses. Applicant has no antecedents and requested to allow the application.

5. It is contention of learned APP that the first informant and other eye witnesses witnessed the incident of assault. They have specifically stated about the role of the applicant. In the FIR it is

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specifically mentioned that Applicant had love affair with first informant's younger sister and was living with her and the deceased confronted about the said act with the Applicant and applicant had anger against the deceased and there were frequent quarrels between them on the said issue. Learned APP further submitted that the Applicant had threatened the deceased and he murdered the deceased by assaulting him with co-accused. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record. In the FIR, it is specifically mentioned that applicant had love affair with younger sister of the first informant and deceased and applicant are brother-in-laws of the first informant. The deceased being elder brother-in-law had admonished the applicant about his act, living with younger sister of the first informant and applicant had threatened the deceased stating that why he takes the side of his in-laws. Accordingly applicant and co-accused assaulted the deceased and murdered him. It is contention of learned counsel for the Applicant that the co-accused, having similar allegations and who participated in the assault, have been released on bail. Hence, Applicant is entitled for bail on principle of parity. In my view, the applicant had motive to kill the deceased and on the say of the applicant, the other co-accused assaulted

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the deceased. It shows that the Applicant is kingpin of the said crime, who murdered the deceased. All witnesses are from family of the applicant and deceased. If applicant is released on bail, he may threaten prosecution witnesses.

6. Considering these facts, I pass following order:
 - (i) Bail Application is rejected.
 - (ii) The trial Court shall decide the matter on its own merit.

(SHIVKUMAR DIGE, J.)