

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 941 OF 2026

Vijay Toli Waghire

....Applicant

VERSUS

State Of Maharashtra

....Respondent

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Mr.Omkar Jadhav, for the Applicant.

Ms.K.T. Hiwrale, APP for Respondent-State.

Mr.Sayyad, PI, Karjat Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd APRIL 2026**P.C. :**

. By this application, the applicant is seeking regular bail in Crime No. 57 of 2024 registered with Karjat Police Station, District Raigad, for the offence punishable under Sections 302, 364, 201 read with 34 of the Indian Penal Code 1860.

2. It is prosecution's case that on 29th February 2024, the applicant and the co-accused murdered the deceased and threw his body in the bushes.

3. It is contention of learned counsel for the applicant that the prosecution's case is based on circumstantial evidence. The applicant has been arrested on the statement of the co-accused. There is no recovery at the instance of the applicant. The applicant has no antecedents. The applicant is behind bars for more than 2 ½ years, there is no progress in the trial. The

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co-accused having similar allegations have been released on bail. Hence, the Applicant is entitled for principle of party, and requested to allow the application.

4. It is contention of learned APP that the applicant is the main culprit who killed the deceased. The deceased was the employer of the applicant, and there was a dispute between them regarding financial transactions. The conversation between the applicant and the co-accused has been recorded. From the transcript of the said conversation, it appears that the applicant has murdered the deceased. Learned APP further submitted that there is CCTV footage which shows that accused No. 2 was driving the rickshaw. If the applicant is released on bail, he may abscond and threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the charge-sheet and documents produced on record. The prosecution's case is based on circumstantial evidence. The applicant has been arrested on the basis of the transcript of the conversation recorded between the applicant and co-accused. To prove the role of the applicant in the present crime, evidence is required. The applicant is behind bars for more than two years, there is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass following order:

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ORDER

- (i) The applicant be enlarged on bail in Crime No. 57 of 2024 registered with Karjat Police Station, District Raigad, 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.
- (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.)