

S .S. Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1205 OF 2026**

Mahesh Rajendra Kumbhar	...	Applicant
Versus		
The State Of Maharashtra	...	Respondent

Mr. Ajinkya Reddy, Advocate for Applicant (Through VC).
Mr. Sameer M. Mangaonkar, APP for the State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 15th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 492 of 2024 registered with Panchawati Police Station, Nashik, for the offences punishable under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS Act").
2. It is prosecution's case on 01.09.2024, the applicant assaulted minor son of the first informant by hitting his head with gas cylinder. As a result of said assault, he died.
3. It is contention of learned counsel for the applicant that the applicant is behind bars for 18 months. The applicant has no antecedents. The incident occurred suddenly. The applicant had no intention to kill the deceased and requested to allow the application.

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4. It is contention of learned APP that the applicant had extra marital affair with the first informant and deceased was her son. When the deceased son vomited, at that time, applicant assaulted him by hitting his head on gas cylinder. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. It appears that incident occurred suddenly. To prove the offence against the applicant, evidence is required. The applicant is behind bars for 18 months. The applicant has no antecedents. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 492 of 2024 registered with Panchawati 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 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.

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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.)