

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1274 OF 2026

Rahul Gautam Jagtap

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Akshay Bankapur, Advocate for Applicant.

Mr. Prashant P. Jadhav, APP for Respondent-State.

Mr. Sagar Dagale, API, Sarkarwada Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 43 of 2022 registered with Sarkarwada Police Station, District Nashik, for the offences punishable under Sections 302, 201 and 120-B of the Indian Penal Code 1860.

2. It is prosecution's case that the applicant and co-accused murdered the deceased for usurping his movable and immovable properties.

3. It is contention of learned counsel for the applicant that co-accused, against whom similar allegations are made, have been released on bail by the Hon'ble Apex Court and this Court, hence, the applicant is entitled for bail on the principle of parity. The applicant is

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behind bars for more than four years and requested to allow the application.

4. It is contention of learned APP that the applicant is the main culprit. He had knowledge about the property of the deceased and, with the help of co-accused, murdered the deceased. The trial is in progress and eight witnesses are being examined. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses, and requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. The co-accused, who participated in the murder of the deceased, have been released on bail, hence, the applicant is entitled for bail on the principle of parity. The applicant is behind bars for more than four years. The trial is in progress, it may take time to conclude the trial. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 43 of 2022 registered with Sarkarwada Police Station, District Nashik, 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.)