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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.1615 OF 2026

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Ritesh Ganpat Shinde
V/s.
State of Maharashtra

...Applicant

...Respondent

Mr.Mahesh M. Funde for the Applicant.

Mrs.S.K. Gajare, APP for the State - Respondent.

CORAM : R.M. JOSHI, J.
DATE : 22ND APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.117 of 2025 registered with Kulgaon Police Station, District Thane for the offences punishable under Section 103(1), 117(2), 115(2), 352, 351(2), 351(3), 3(5) of Bhartiya Nyaya Sanhita, 2023 (BNS)

2. In short, it is the case of the prosecution that an incident occurred on 24th June, 2025 at 9:30 p.m. when a quarrel took place between the informant Marshal Giri (now

deceased) and the co-accused Ganesh Make. Ganesh Make called the present Applicant and another accused to the spot. Allegation is that all of them caused assault on the informant with fist and kick blows. Due to the internal injuries caused to the informant, he died on 27th June, 2025. Offence of murder came to be attributed against the Applicant and the co-accused. On conclusion of the investigation, chargesheet is filed.

3. Learned counsel for the Applicant submits that the Applicant has no criminal history behind him. It is argued that even if the statements of the informant and witnesses are accepted to be true, offence of murder cannot be attributed against him. On these amongst other contentions, he seeks bail.

4. Learned APP opposed the application firstly, relying upon the statements of eye witnesses, which according to her indicate that the present Applicant was one of the assailants in the assault caused on the deceased. She referred to the statement of Vighnesh Irmali recorded under Section 183 of the BNS in order to support the said submissions. It is claimed that since the informant died due to the assault caused by the

Applicant and the co-accused, this is not a fit case for grant of bail.

5. *Prima-facie* perusal of the record indicates that the allegations against the Applicant is that he assaulted the deceased with fist blows. FIR is lodged by the informant immediately after the occurrence of the incident shows that even a fracture injury caused to the informant to his ribs is not attributable to the present Applicant. Suffice it to say that even if the case of the prosecution is accepted as it is to be true, an offence of murder is *prima-facie* not made out against the Applicant. He has no criminal history. He is not likely to flee from justice. Hence the following order :-

ORDER:

- a). The Application stands allowed.
- b). The Applicant be enlarged on bail in connection with Crime No.117 of 2025 registered with Kulgaon Police Station, District Thane on furnishing PR bond of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.
- c). The Applicant to attend the Trial Court on each dates

of hearing unless exempted by the Trial Court.

d). The Applicant not to contact any witness directly or indirectly and not to interfere into the evidence of the prosecution in any manner whatsoever.

6. It is clarified that above observations are *prima-facie* in nature and would not bind Trial Court / parties during trial.

(R.M. JOSHI, J.)