



S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3519 OF 2025

Anil Popat Dhawade ... Applicant

Versus

The State of Maharashtra & Ors. ... Respondents

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Mr. Smith S. Shinde, Advocate for the Applicant.

Smt. Ranjana D. Humane, APP for the Respondent-State.

Ms. Sujata G. Tambe, Advocate for Intervenor.

PC/1983- B.M.Bhosale, Yavat Police Station, Pune Rural present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th JANUARY, 2026.

P.C.:

1. By this application, the applicant is seeking regular bail in C.R.No. 228 of 2025 registered with Yavat Police Station, Pune for the offences punishable under Sections 103, 61(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. It is prosecution's case that applicant and co-accused assaulted the deceased with a stone and sharp weapon and murdered her on the ground that applicant had illicit relations with the deceased and she was demanding money from the applicant. Initially, death of the deceased was shown as attack by the leopard, but in report of FSL, it came to know that it was homicidal death. During investigation, it revealed that applicant and co-accused murdered the deceased.

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3. It is contention of learned counsel for the applicant that initially, the death of the deceased was considered as attack by leopard and after three months from the day of the incident, the applicant has been arrested in connection of this crime on the basis of extra judicial confession of co-accused. Nothing is recovered at the instance of the applicant. The weapons used in the crime are recovered at the instance of the co-accused. The applicant is behind bars for more than one year. There is no progress in the trial and requested to allow the application.

5. It is contention of learned APP along with learned counsel for respondent No.2 that applicant is the main culprit. He had illicit relations with the deceased and she was demanding money from the applicant. Hence, applicant with the help of co-accused, murdered the deceased and he informed the police that she died due to attack by leopard. During investigation, it revealed that the deceased did not die due to attack by leopard, but it was murdered by the applicant and co-accused. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

6. I have heard all learned counsel. Perused chargesheet and documents produced on record. Nothing recovered at the instance of the applicant. The applicant is arrested on the basis of extra judicial confession. The evidentiary value of said confession can be decided at the

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time of trial. The prosecution's case is based on circumstantial evidence. The applicant is behind bars for more than one year. There is no progress in the trial and I pass following order.

ORDER

- i. The Applicant is released on bail in C.R.No. 228 of 2025 registered with Yavat Police Station, Pune, 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 evidence or attempt to influence the witnesses. The Applicant shall not contact the complainant, witnesses or any other person concerned with present case.
- iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)