

: ORDER BELOW EXH.4 IN SESSIONS CASE NO.11/2026 :
(CNR No. MHRG15-000145-2026)
(Passed on 18.05.2026)

1) This is an application seeking a regular bail, made by accused **Abhijit Mahesh Ambavale**, concerning the offence punishable under sections 103(1), 309(4), 311 of the Bharatiya Nyaya Sanhita, 2023 (in short, "B.N.S."), in Crime No.177/2025 (Sessions Case No.11/2026) registered with Mahad City Police Station.

2) It is contended that the accused came to be arrested on 30.11.2025. He was subjected to Police Custody Remand up to 05.12.2025 and since then he has been in Judicial Custody.

3) The accused did not commit any offence. He has falsely been implicated in the crime. The case is based on circumstantial evidence, and its chain is incomplete. Though, recovery is stated having been made from the accused, there is no material to connect the accused with the crime. He is a permanent resident of Nate, Tal. Mahad. There are no criminal antecedents against him. The CDR cannot prove that the accused was at the spot. It would take a longer time to decide the case. He is ready to abide by all the conditions. Hence, the application be allowed.

4) The Investigating Officer and the Ld. A.P.P. for the State, opposed the application by filing say (Exh.5). It is contended that the accused having known the routine of Lilavati

Balkavade, waited for her by concealing his presence in her field. When she came at the cattle-shed on the land, accused forcefully fell her down, strangled her to death and took away her gold ornaments and mobile phone.

5) The application is opposed on the grounds that the accused committed a brutal murder of an old aged woman and snatched away her gold ornaments. The accused was seen while going towards the spot of incident, and also returning from the spot of incident. The snatched gold ornaments came to be seized at the behest of the accused. The CDR concerning the mobile phone of Lilavati (since deceased) showed the last call having been received from the accused, and that his mobile phone's location was the spot of incident. Deceased and her husband both old aged had been staying alone at village, and by taking benefit of their helplessness the accused committed a crime. The accused had borrowed Rs.40,000/- from Lilavati, and asking him to return it, he had behaved arrogantly with her husband. There is danger to the life of Lilavati's husband and witnesses, who are from the same village. It is submitted to reject the application.

6) Heard both sides and perused the record. Ld. Advocate Mr. C. B. Manake for the accused, and the Ld. A.P.P. Mr. Y. A. Tendulkar for the State, iterated the contentions made in the application and say, respectively.

7) Ld. Advocate for the accused would submit that there is no eye-witness to the incident, the accused being residing in the

neighbourhood of Lilavati, he would naturally speak to her. Thus, the said CCTV Footage is of no avail to the prosecution against the accused. The said recovery at the behest of the accused is planted and false. The accused is ready to abide by all the conditions.

8) The Ld. A.P.P would submit that pursuant to his disclosure statement, the accused produced mobile phone of Lilavati from one place and her gold ornaments from another place – the factory premises where the accused had been serving. There are statements in that respect. The accused is seen on CCTV footage having been talking to Lilavati, he was seen going to and from the spot of incident, though not exact time of the incident. The Tower Location of the mobile of the accused is also seen at the spot of incident, and it was the accused who had made last call to Lilavati. It is submitted that there is sufficient evidence against the accused. The prosecution is ready to take the case expeditiously.

9) It is seen that the Report was made against an unknown person, however, during the investigation, accused came to be arrested. As per the prosecution case, in the presence of panch witnesses, the accused produced the snatched articles from the person of Lilavati. His location is stated to be at the spot of incident at the relevant time. Though not exactly at the same time, he was seen going towards the spot and returning from it. His location is stated being the spot of incident at the relevant time, and he was the last caller to Lilavati. There was bickering when he was asked to repay the hand-loan.

10) Without going into details, it can safely be said that there is *prima facie* material against the accused in respect of his involvement in the crime against a old woman. The accused came to be arrested on 30.11.2025, and not before years. No doubt, no criminal antecedents have been pointed out against him and he is 24 years, that itself is not sufficient to enlarge him on bail in such serious crime – murder for snatching away gold ornaments.

11) All in all the application is liable to be rejected. Hence, the following order:-

: O R D E R :

The application Exh.4 is rejected.

Mangaon.
Date: 18.05.2026.

(S. T. Bhalerao)
Additional Sessions Judge,
Mangaon, Dist. Raigad.