IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO.73 OF 2026

Mr. Vithal Vidhayanand @ Vidhyadhar Tuyenkar
s/o Vidhayanand @Vidhyadhar Vithal Tuyenkar,
35 years of Age,
Pvt. Service, Indian National
Resident of H.No.1098 Anna Vaddo,
Candolim Bardez- Goa.
(Presently in Judicial Custody,
Modern Central Jail
Colvale Bardez North -Goa) … APPLICANT

Versus.

1. STATE
(As represented by the officer in charge/
Investigating Officer,
Colvale Police Station,
Colvale, Bardez - Goa)

2. The Public Prosecutor,
High Court Building.
Porvorim, Bardez- Goa. …..RESPONDENT

Mr. Vinayak Porob with Mr. Eshwar Khobarekar and Mr. Ronit Naik, Advocates for the Applicant.

Mr. Pravin Faldessai, Additional Public Prosecutor for the Respondents.

CORAM:-ASHWIN D. BHOBE, J.

DATED :- 19th October, 2026.

P.C.:

1. Heard Mr. Vinayak Porob, learned Advocate for the Applicant and Mr Pravin Faldessai, learned Additional Public Prosecutor for the Respondent-State.

2. By this application filed under Section 483 of the BNSS, 2023, the Applicant seeks Regular Bail in connection with Crime No. 66/2025 registered with Colvale Police Station for offences punishable under Sections 140(3), 127(2), 103, 309(6) and 238(1) r/w. 3(5) of the BNS 2023.

3. Mr. V. Porob, learned Advocate for the Applicant, submits that there are nine (9) Accused in Crime No. 66 of 2025, with the Applicant as Accused No. 5. He submits that Crime No. 66/2025 is registered as Sessions Case (302) No. 3 of 2026 and is pending before the Additional Sessions Judge-I, Merces, Tiswadi, Goa ("Trial Court").

4. In brief, the prosecution case is that the son of the Informant was assaulted and murdered by the Accused in FIR No. 66 of 2025.

5. The Applicant was arrested on 04.01.2025. The bail application at Exh-No. 18 in Sessions Case (302) No. 3 of 2026, filed by the Applicant, was rejected by an order dated 24.07.2026.

6. Mr. V. Porob, learned Advocate, submits that the Applicant seeks bail on the sole ground of parity. He submits that Ravishwar Ramesh Naik (Accused No. 4), against whom the allegations are like those of the Applicant, is released on bail by this Court vide order dated 12.10.2026 in Criminal Application (Bail) No. 1044 of 2026 (F). He tenders a photocopy of the order dated 12.08.2026. The same is taken on record and marked with '**X**' for identification.

7. Mr. Pravin Faldesai, learned Additional Public Prosecutor for the State, does not dispute that the allegations against the Applicant are similar to those against Ravishwar Ramesh Naik (Accused No.4) in Crime No.66 of 2025.

8. Perused the records and the order dated 12.10.2026 passed by this Court in Criminal Application (Bail) No. 1044 of 2026 (F).

9. The involvement of the Applicant in Crime No. 66 of 2025 is similar to that of Ravishwar Ramesh Naik (Accused No.4). Accused No. 4 has been released on bail by this Court in the said set of facts. No material on record indicates any distinguishing circumstances that would warrant a different view in the case of the Applicant.

10. In view of the above, Mr. Porob, learned Advocate for the Applicant, would be justified in seeking bail for the Applicant on the principle of parity. For the reasons recorded in the order dated 12.10.2026 passed in Criminal Application (Bail) No. 1044 of 2026 (F), this Application is allowed.

11. In view of the above, this Application is allowed on the following terms:

i. The Applicant shall be released on bail in Crime No.66 of 2025, registered with the Colvale Police Station, for offences punishable under Sections 140(3), 127(2), 103, 309 (6) 238(1) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023 upon furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount, to the satisfaction of the concerned trial Court.

i. The Applicant shall not threaten or influence the witnesses, nor shall the Applicant directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that person from disclosing those facts to the Court. The Applicant shall not tamper with evidence.

ii. The Applicant shall furnish his identity proof, his address proof (native) and phone number, including that of his sureties, to the Investigation Officer, who shall verify the same within three days of his release and keep the Investigation Officer updated on the same.

iii. The Applicant shall report to the Investigating Officer of Calvale

Police Station as and when required for investigation.

iv. Needless to say, any violation of the aforesaid conditions shall make the Applicant liable for cancellation of bail.

12. The observations made herein are prima facie in nature and limited to the extent of the grant of bail.

13. The Criminal Application No.73 of 2026 is disposed.

ASHWIN D. BHOBE, J.

Signed by: MEENA VISHAL BHOIR
Designation: Private Secretary
Date: 19/10/2026 18:55:46

19th October,2026