

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 4220 OF 2021**

Vikas @ Nana Bhairawnath Buchade ...Applicant

V/s.

State of Maharashtra ...Respondent

Mr. S. S. Patwardhan i/b Mr. Chetan G. Patil, Advocate, for the Applicant.

Mr. A. R. Kapadnis, APP, for the Respondent/State.

**CORAM : N.R. BORKAR, J.**  
**DATE : 14.11.2022.**

**PC. :**

1. This is an application under Section 439 of the Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 341 of 2021 registered at Karveer Police Station, Kolhapur, for the offences punishable under Sections 302, 326, 323, 504 and 506 read with 34 of Indian Penal Code (in short I.P.C.)

3. It is the case of prosecution that on 05/06/2021, the present applicant alongwith other co-accused assaulted the deceased Bhagwan Buchade by knife and committed his murder due to dispute between them in relation of partition of agricultural land and house property.

4. I have heard learned counsel for the applicant and learned APP for the respondent/State.

5. The learned counsel for the applicant submits that the present applicant was assaulted in the alleged incident by Axe and in relation to the said assault, cross FIR is registered for the offence punishable under Section 307 of I.P.C. against the complainant and his family members. It is submitted that the applicant is in jail for more than one and half years. It is submitted that further detention of the applicant is not necessary, as the investigation is over.

6. On the other hand, learned APP for the respondent/State submits that the applicant is involved in serious offence of murder. It is submitted that the present applicant assaulted the deceased by knife. The learned APP submits that considering the nature of the offence, the applicant may not be released on bail.

7. The fact that the applicant was assaulted in the alleged incident and there is a cross FIR for the offence punishable under Section 307 of I.P.C. is not in dispute. There appears to be no other criminal antecedents.

8. Considering these facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

**ORDER**

- A] The Bail Application is allowed.
- B] The applicant be released on bail in Crime No. 341 of 2021 registered at Karveer Police Station, Kolhapur, for the offences punishable under Sections 302, 326, 323, 504 and 506 read with 34 of Indian Penal Code (in short I.P.C.) on furnishing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C] The applicant shall not stay at village Varanage, Tal. Karveer, Dist. Kolhapur, till conclusion of trial and shall seek permission of trial Court if he is required to enter the said village.

**[N.R.BORKAR, J.]**