



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 580 OF 2023

SHRI PRUTHVIRAJ @ KISHOR BAJIRAO PATIL ..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Niranjan Mundargi a/w Keral Mehta a/w Stefy Dias i/b Mr. Umesh Mankapure, for the applicant.

Mr. A.A.Palkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 27, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under sections 302, 201, 120(b) read with 34 of the Indian Penal Code, 1860 registered on 02/06/2021 vide C.R. No. 58 of 2021 with Chinchani Wangi Police Station, District- Sangli.
- 3.** There are in all 4 accused. The applicant is the accused no.1. The applicant was arrested on 04/06/2021.
- 4.** Learned APP opposed the applicant. It is submitted by learned

APP that apart from the statement of the witnesses who have stated that the deceased owed money to the applicant, there is recovery of shock-absorber, the weapon used for the commission of offence, at the instance of the applicant. The first informant- Tanaji Koli is the brother-in-law of the deceased. The deceased was known to the applicant. 2 years prior to the incident, the deceased was working in the agricultural field of the applicant. The deceased owed money to the applicant. One of the witnesses in the statement says that two months prior to the incident, there was a quarrel between the applicant and the deceased when the applicant had asked the deceased to pay his money. Sometime thereafter the deceased was confronted by the co-accused when the co-accused was assaulted and abused by the deceased.

5. The prosecution case is based on the circumstantial evidence. The cause of death of the deceased is hemorrhagic shock due to head injury. The post-mortem notes indicate that one incised wound of around 10 cm from right forehead above right ear 2 cm in depth. Next injury is crush injury on right parietal occipital bone multiple skull fracture. There is a recovery of a shock-absorber at the instance of the applicant which is alleged to be used in the commission of

crime which is not stained with blood. The applicant can be enlarged on bail. The witnesses have only stated about some quarrel that had taken place between the applicant and deceased on earlier occasion. The applicant was arrested on 04/06/2021 and is now in custody for more than 2 year and 3 months. I am informed that charge has been framed by the trial Court but evidence is yet to be recorded. The trial is likely to take some time to conclude. There are no criminal antecedents reported against the applicant. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Prithviraj @ Kishor Bajirao Patil in connection with C.R. No. 58 of 2021 registered with Chinchani Wangi Police Station, Sangli shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the investigating officer of Chinchani Wangi Police Station, Sangli Police Station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter the area of Kundal Koli Vasti, Taluka- Palus, District- Sangli till the trial concludes.

6. The application is disposed of.

(M. S. KARNIK, J.)