



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

BAIL APPLICATION NO.3020/2023

ADHIK BALASAHEB THORAT ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Kuldeep Nikam a/w Adv. Om Latpate for the applicant.
Mr. N. B. Patil, APP for the State.
PSI Ravikant Gacche, Kagal Police Station, Kolhapur.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 30, 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 read with 34 of the Indian Penal Code registered on 01/06/2023 vide C.R. No.196 of 2023 with Kagal Police Station, Kolhapur.
- 3.** The applicant is accused No.3. The 3 accused are implicated in committing the murder of the deceased Amarsingh Thorat. The deceased is the son of accused No.1. The prosecution's case is that accused No.1 has killed Amarsingh Thorat. Learned counsel for the applicant

submitted that the reason for the father to have killed his son is that Amarsingh Thorat was harassing the family no ends and the incident happened in the spur of the moment.

4. So far as the present applicant is concerned, the accusation against him is that he helped accused No.1 and 2 to dispose of the dead body. The complainant had seen the present applicant in the company of accused Nos.1 and 2 on the previous night at the spot where the dead body was found and has identified the applicant. Learned APP opposed the application and submitted that the offence is serious in nature.

5. In the facts and circumstances of the present case, considering the nature of the accusations against the present applicant, I am inclined to enlarge the applicant on bail. The applicant is not the assailant. The applicant is in custody since 02/06/2023 with the possibility of trial concluding any time soon appears remote. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet has been filed. The applicant does not appear to be a flight risk.

Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Adhik Balasaheb Thorat in connection with C.R. No.196 of 2023 registered with Kagal Police Station 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 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.
- (e) 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.
- (f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)