

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

CRIMINAL BAIL APPLICATION NO.1726 OF 2023

Shri. Kiran Baburao Patil ...Applicant

Vs.

The State of Maharashtra ...Respondent
(Through Koregaon Police Station)

Mr. Shailesh D. Chavan a/w Hrishikesh S. Avhad
for the Applicant.

Ms. Mahalaxmi Ganpathy, APP, for the Respondent-
State.

Police Naik, J.R. Shinde, B. No. 1880, Koregaon
Police Station present.

CORAM : MADHAV J. JAMDAR, J.

DATED : 4th JANUARY 2024

P.C. :

1. Heard Mr. Chavan, learned Counsel appearing for the Applicant and Ms. Ganpathy, learned APP appearing for the Respondent-State.
2. The Applicant has filed the Criminal Bail Application for regular bail under Section 439 of the Code of Criminal Procedure, 1973. The relevant details are as under:-

1	C. R. No.	152 of 2020
2	Date of F.I.R.	15 th May 2020
3	Police Station	Koregaon, Satara
4	Sections under which F.I.R. has been lodged	302 r/w 34 of I.P.C.
5	Date of Incident	14 th May 2020
6	Date of Arrest	15 th May 2020
7	Date of filing of Chargesheet	Charge-sheet filed.

3. As per the case of the prosecution, the Applicant i.e. Accused No.2 and Accused No.1- Nagesh Ramchandra Bajantri killed deceased Raju Pawar by a stone as he was not paying their labour wages. The Applicant as well as Accused No.1-Nagesh Ramchandra Bajantri were working as labourers with said Raju Pawar. Said Raju Pawar was the contractor in a construction project of one Dashrath Jagdale. For a considerable period, said Raju Pawar has not paid to the said labourers i.e. Accused Nos. 1 and 2 who has worked in said construction scheme and therefore quarrel took place between Raju Pawar and accused and accused killed Raju Pawar by stone.

4. Admittedly there is no eye witness to the incident. The Applicant has been arrested on 15th May 2020. After

about more than 3 years and 7 months only charge is framed. Ms. Ganpathy, learned APP states that there are 28 witnesses. Therefore, the trial will take considerable period.

5. Mr. Chavan, learned Counsel appearing for the Applicant states that the Applicant is belonging to Kolhapur District and as the witnesses are from Taluka Koregaon, District Satara, he will not enter the said Taluka.

6. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

- (a) The Application is allowed.
- (b) The Applicant- Kiran Baburao Patil be released on bail in connection with C.R. No.152 of 2020 registered with Koregaon Police Station, District Satara on his furnishing P.R. Bond of Rs.10,000/- with one or two sureties in the like amount.
- (c) The Applicant shall not enter the area covered under the jurisdiction of Koregaon Police Station, Satara District on being released on bail, except when summoned by the Investigating Officer.

(d) 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.

(e) The Applicant shall report to Shahupuri Police Station, Kolhapour once every week, on every Sunday between 11.00 a.m.. to 1.00 p.m. till the trial concludes. The Police Inspector of Shahupuri Police Station, Kolhapur to communicate details thereof to the Investigating Officer.

(f) 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.

(g) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(MADHAV J. JAMDAR, J.)