

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1126 OF 2024

Kiran Mahadev Waghmode

Age:20 years, Occupation: Farmer,

Phule Mala, Fondshiras,

Taluka-Malshiras, District-Solapur

... Applicant

vs.

The State of Maharashtra

[Through Natepute Police Station

Vide C.R.No.365 of 202]1

... Respondent

....

Mr Ritesh Thobde, a/w. Zubi Ansari, for the Applicant.

Mr Ashok Gawai, APP, for Respondent State.

Mr Amol Rajaram Waghmode, Police Naik 559, Natepute Police Station, Solapur, is present.

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CORAM : R.N. LADDHA, J.

DATE : 4 APRIL 2024

P.C. :

. Heard Mr Ritesh Thobde, learned Counsel appearing for the applicant, and Mr Ashok Gawai, learned Additional Public Prosecutor for the State.

2. The applicant in the present case is seeking bail in

connection with C.R. No.0365 of 2021, registered at Natepute Police Station, Solapur, against the applicant, for the offence punishable under Sections 302, 307, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. Allegations against the applicant and other co-accused are that, on 19 October 2021, the applicant gave a blow of iron pipe on the head of the deceased and committed his murder.

4. The record shows that this is a third bail application filed by the applicant. By an order dated 6 December 2022, this Court directed the learned trial court to expedite the trial, ideally completing it before June, 2023. However, despite the charge being framed in January 2022, no witnesses have been examined by the trial court upto this point. Notably, no witness summonses were issued to secure the presence of witnesses. The applicant, who was a 19 years old student pursuing B. Pharm, has been in jail since 21 October 2021. The applicant has no prior criminal record. The case involves three accused persons and two were already granted anticipatory bail.

5. In light of the above, it is not proper to detain the applicant for an indefinite period in jail. Accordingly, the applicant is enlarged on bail on the following terms and conditions:.

ORDER

- (i) Application is allowed;
- (ii) The applicant – Kiran Mahadev Waghmode shall be released on bail in C.R. No.0365 of 2021, registered at Natepute Police Station, Solapur, on executing a P.R. Bond to the extent of Rs.25,000/- and furnishing one or more sureties in the like amount;
- (iii) The applicant shall mark his attendance before the concerned police station as and when called for;
- (iv) 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 and shall not tamper with the prosecution evidence;
- (v) The applicant shall attend the Court regularly and co-operate the Court for the expeditious disposal of the case;

- (vi) 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.

(R.N. LADDHA, J.)