

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 569 OF 2025

Vishal @ Bhaiyya Shahaji Khavale ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Priyal Sarda a/w Mr. Abhishek Jare a/w Mr. Omkar Bajaj for
Applicant.

Ms. P.S. Rane, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 26th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in
Crime No.922 of 2023 registered with Satara City Police Station,
District Satara for the offences punishable under Sections 302, 364,
201, 120(B) r/w Section 34 of the Indian Penal Code (for short
“IPC”).

2. It is prosecution’s case that one person by name Sandip
Sankpal was missing and his wife had filed missing complaint. In
investigation it revealed that the applicant and co-accused
strangled the deceased to death on the ground of paying
commission in selling of land.

3. It is contention of learned counsel for applicant that prosecution's case is based on circumstantial evidence. The investigation started after two months of the death of the deceased. There are no specific allegations against the applicant. The main allegations are against the accused No.1 – Shivaji Shinde. The applicant is behind bar for 23 months, yet trial has not started. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant along with co-accused murdered the deceased by strangulating with belt. The belt used in the crime is recovered at the instance of the applicant. The CDR annexed with the charge-sheet shows that the applicant and co-accused were in constant touch on the day of incident. The body of the deceased was buried. The charge has been framed. The matter is posted for evidence. The half burnt shirt of the applicant is recovered at his instance. If applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. The missing compliant of deceased was filed on 21st August, 2023 whereas the Police has started the investigation in respect of murder of the deceased in the month of

October-2023. The applicant is behind bar for more than 23 months. Though charge is framed, trial has not been started. The prosecution case is based on circumstantial evidence. Considering these facts, I pass the following order :

ORDER

- (i) Application is allowed;
 - (ii) The applicant be enlarged on bail in Crime No.922 of 2023 registered with Satara City Police Station, District Satara, on executing PR.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
 - (iii) The applicant shall not tamper with the evidence or shall not attempt to influence or contact the witnesses or any person concerned with the case.
 - (iv) Applicant shall attend the Trial Court dates, regularly.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)