

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

BAIL APPLICATION NO. 805 OF 2025

Kumar Maruti Kambale	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Ramanik Pawar a/w Ms. Arti Bajpai, Ms. Samiksha Pawar, Ms. Trupti Jambulkar, Mr. Samadhan M., Ms. Shubhangi Kadam, Ms. Dhanshree Jagdale and Mr. Pankaj T., Advocate for the Applicant.

Mr. S. S. Chaudhari, A.P.P. for the Respondent – State.

Ms. R. V. Parule (API), Shivaji Nagar Police Station, Kolhapur, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	23rd APRIL, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.41 of 2021 registered at Shivaji Nagar Police Station, District : Kolhapur, for the offences punishable under Sections 143, 147, 148, 149, 302, 323, 504 and 506 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 4 and 25 of the Indian Arms Act.
3. According to the prosecution, on the date of incident which took place on 23.01.2021 the present applicant and other co-accused assaulted the deceased by sharp weapons

and committed his murder due to a political rivalry.

4. have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 21.03.2023 in Bail Application No.3204 of 2021 and the order passed by the Hon'ble Supreme Court dated 14.09.2023 in Petition for Special Leave to Appeal (Crl.) No.6205 of 2023. The order passed by this Court dated 21.03.2024 was challenged before the Hon'ble Supreme Court. By order dated 14.09.2023 the Hon'ble Supreme Court directed the Trial Court to frame a charge and granted liberty to the applicant to renew his request for bail after framing of charge. The learned counsel for the applicant submits that the applicant is in jail for four years and three months and except framing of charge, that too under the direction of the Hon'ble Supreme Court, there is no progress in the trial.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the motive for the alleged crime is attributed to the present applicant. It is submitted that at the time of alleged incident, the applicant was armed with knife. It is submitted that the present applicant is involved in one more crime for the offences punishable under section 324. It is further submitted that as this Court has already rejected the application filed by the applicant on merits, the present application may not be entertained and the trial be expedited.

7. The applicant is in jail for four years and three months. The Hon'ble Supreme Court has granted liberty to the applicant to renew his request for bail after framing of charge. It appears that the alleged injuries to the deceased are not attributed to the present applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.41 of 2021 registered at Shivaji Nagar Police Station, District : Kolhapur, for the offences punishable under Sections 143, 147, 148, 149, 302, 323, 504 and 506 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 4 and 25 of the Indian Arms Act on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the limits of Taluka Hatkangale till conclusion of trial;
- (iv) The applicant shall attend the concerned Police Station within whose jurisdiction he is going to reside after his release once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)