

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

CRIMINAL BAIL APPLICATION NO. 2079 OF 2025

Kumar Pandurang Pawar

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

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Mr. Nandkumar Anna Vhatkar a/w Mr. Milind Deshmukh, Advocate
for Applicant.

Ms. Vidya Yamgar, Advocate for Respondent No.2.

Dr. A. A. Takalkar, APP for the Respondent No.1-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 18th DECEMBER, 2025

P.C.

1. Leave to file Vakalatnama on behalf of Respondent No.2.
2. By this application, applicant is seeking regular bail in Crime No.452 of 2023 registered with Miraj Rural Police Station, District: Sangli for the offences punishable under Sections 302, 323, 143, 147, 148 & 149 of the Indian Penal Code, 1860.
3. It is prosecution's case that on 21st October, 2023, the applicant and co-accused barged into the house of first informant with spearhead in their hand and assaulted the husband of first informant with said spearhead and murdered him.

4. It is contention of learned counsel for applicant that the applicant is falsely implicated in this case. The first informant has no objection to allow the application. The applicant is behind bar for more than two years. Investigation is completed. there is no progress in trial. Hence, requested to allow the application.

5. It is contention of learned APP that the applicant and co-accused barged into the house of first informant and assaulted the first informant's husband with spearhead and murdered him. The incident is eye witnessed by the first informant. There is direct evidence against the applicant. Hence, requested to reject the application.

6. It is contention of learned counsel for Respondent No.2 that due to misunderstanding, she has taken the name of the applicant in the said FIR. The applicant was not present at the time of incident and requested to allow the application.

7. I have heard all the learned counsels, perused the FIR and documents placed on record. The applicant is behind bar for more than two years. There is no progress in trial. As per the statement of first informant, the applicant was not present at the time of incident. Considering these facts, I pass following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.452 of 2023 registered with Miraj Rural Police Station, District: Sangli, on executing P.R.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 attempt to influence or contact the first informant, witnesses or any person concerned with the case.

(iv) Applicant shall attend the Trial Court dates, regularly.

8. The application is allowed in the aforesaid terms and is accordingly disposed off.

9. 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.

10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)