

Suraj Shamrao Kumbhar ...Applicant
Versus
The State of Maharashtra ...Respondent

CORAM : SHIVKUMAR DIGE, J.
DATE : 28th NOVEMBER 2025

2. It is prosecution's case that the deceased had illicit relationship with the wife of applicant. The deceased was brother-in-law of the applicant. On the ground of illicit relationship with the wife of applicant, the applicant and co-accused has murdered the deceased. Initially the offence was registered against the unknown

persons. In investigation, the applicant and co-accused have been arrested.

3. It is contention of learned counsel for applicant that the applicant is behind bar for more than five years. Though charge is framed but there is no progress in trial. The prosecution's case is based on circumstantial evidence. The co-accused against whom the similar allegations are levelled has been released on bail. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant had motive to kill the deceased on illicit relationship with the wife of applicant. He murdered the deceased with the help of co-accused. The weapon used in the crime is recovered at the instance of applicant. If applicant is released on bail, he may abscond or threaten the or prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsels, perused the FIR and documents placed on record. The prosecution's case is based on circumstantial evidence. The applicant is behind bar for more than five years. Though charge is framed, there is no progress in trial. It may take time to conclude the trial. The co-accused against whom the similar allegations have been levelled has been released on bail. Considering these facts, his further detention is not required.

6. In view of the above, I pass the following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.23 of 2021 registered with Shahapur Police Station, District Kolhapur, 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 witnesses or any person concerned with the case.

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

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

8. 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.

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

(SHIVKUMAR DIGE, J.)