

Harish

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

CRIMINAL BAIL APPLICATION NO. 3234 OF 2025

Atharva Narendra Gaikwad	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Umesh Mankapure a/w Pankaj Deshmukh & Benazir
Jamadar i/b Rati Sihasane for the Applicant.
Ms. P. S. Rane, APP for the Respondent-State

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th OCTOBER, 2025

P.C.:

1. By this application, applicant is seeking regular bail in crime No. 389 of 2024 registered with Sangli Rural Police Station, Sangli for the offences punishable under Section 103(1) of Bharatiya Nyaya Sanhita 2023.
2. It is prosecution's case that on 4th December, 2024 at around 00.15 hrs., the dead body of the deceased was found with serious injuries on his body. Initially, the offence was registered against unknown persons. In the investigation it revealed that the applicant and co-accused assaulted the

deceased with sharp weapon on the ground of edging vehicle.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar more than 10 months. Investigation is completed. Charge-sheet has been filed. Police has recovered the CCTV footage regarding edging the vehicle of the deceased by the applicant and co-accused. In the said CCTV footage, the applicant is not seen. There is no recovery at the instance of the applicant. He has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant along with co-accused chassed the vehicle of the deceased and assaulted him with sharp weapons to death. The police has recovered the CCTV footage of edging the vehicle of the deceased by the applicant and co-accused. If the applicant released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record.

6. Applicant is behind bar more than 10 months. There is no recovery at the instance of the applicant. Investigation is

completed. Charge-sheet has been filed. Applicant has no antecedents. There is no CDR between the applicant and co-accused. To prove the role of the applicant in crime, evidence is required. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

- (i) Application is allowed.
- (ii) The applicant be enlarged on bail in crime No.389 of 2024 registered with Sangli Rural Police Station, 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 attend the Court dates regularly.
- (iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

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.]