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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3325 OF 2025**

Sagar Dinesh SalviApplicant

Vs.

The State of MaharashtraRespondent

Mr. Sangram Desai a/w Ms. Sanjana Desai, Ms. Prerna Somani,
Ms. Jaanvi Dudwadkar, Mr. Advait Vajratkar, Ms. Sakshi Jankar
for the applicant

Mr. N. B. Patil APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th SEPTEMBER 2025

P.C.:

By this application, applicant is seeking regular bail in C.R. No. 63 of 2019 registered with Guhagar Police Station, District, Ratnagiri for offences punishable under Sections 302, 460, 380 read with 34 of the Indian Penal Code.

1. It is the prosecution's case that in the intervening night of 13th August 2019 and 14th August 2019, deceased was murdered by unknown persons by assaulting him with sharp weapons. F.I.R. was lodged by the Police Patil of the village where

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deceased was residing. In the investigation, it revealed that applicant and co-accused made theft in the house of the deceased and while doing so, they killed the deceased.

2. It is the contention of learned counsel for applicant that applicant is behind bar around six years. Out of 29 witnesses, only two witnesses have been examined. The co-accused from whom gold ornaments have been seized is released on bail. At the instance of the applicant, sickle used in crime and blood stained clothes are recovered but the CA report shows that there are no blood stains on the clothes and sickle. Applicant is arrested after three months of the incident. In the F.I.R., there is no allegations of theft in house but in supplementary statement of the wife of the deceased, recorded after three months, there is allegation of the theft of gold ornaments. It creates doubt on prosecution's case. Considering the long incarceration of the applicant, he be released on bail.

3. It is the contention of learned APP that applicant and co-accused murdered the deceased while doing theft in the house of deceased. The sickle used in the crime is recovered at the instance of the applicant as well as the blood stained clothes are also

recovered. The trial is in progress. Prosecution has examined two witnesses. If applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

4. I have heard both learned counsel, perused F.I.R. and documents produced on record. applicant is behind bar for more than six years. Yet trial is not concluded. Out of 29 witnesses only two witnesses have been examined. Co-accused has been released on bail. Prosecution case is based on circumstantial evidence. It may take time to conclude the trial. Considering the long incarceration of the applicant, I pass following order:

ORDER

- I. Application is allowed.
- II. Applicant be enlarged on bail in C.R. No. 63 of 2019 registered with Guhagar Police Station, District, Ratnagiri on executing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
- III. 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.
5. The application is allowed in the aforesaid terms and is accordingly disposed off.
6. 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.
7. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]