

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

CRIMINAL BAIL APPLICATION NO. 3360 OF 2025

Ganesh Bhagwan Tamkhade ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Mahindra Deshmukh for Applicant.

Mr. N. B. Patil, APP for the Respondent-State.

Mr. Vaibhav Bajarang Koli (PC), Vita Police Station, present.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 1st OCTOBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.524 of 2024 registered with Vita Police Station, District Sangli for the offences punishable under Sections 103(1), 238, 3(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. It is prosecution's case that on 5th December 2024, the co-accused murdered the deceased and the blood stained clothes of the co-accused were disposed off by the applicant by burning it.

3. It is contention of learned counsel for applicant that there are no allegations against the applicant that he murdered the deceased with co-accused. The allegations against the applicant are

that he disposed off the blood stained clothes of the co-accused. The applicant is behind bar for more than ten months. There is no progress in trial. The applicant has no antecedent. Hence, requested to allow the application.

4. It is contention of learned APP that applicant had disposed off the blood stained clothes of the co-accused by burning it. He was aware that the said clothes were used in the crime, in spite of that he helped the co-accused. If applicant released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. Admittedly the applicant had not participated in the murder of the deceased. The allegations against him are that he disposed off the blood stained clothes of the co-accused. He is behind bar for more than ten months. There is no progress in trial. The applicant has no antecedents. Considering these facts, his further detention is not required.

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

ORDER

- i. The Application is allowed;

ii. The Applicant be released on bail in Crime No. 524 of 2024 registered with Vita Police Station, Sangli upon furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the learned Additional Sessions Judge,Vita.

iii. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.

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.)