

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3424 OF 2025**

Aaryan Dattatray Ghunake ...Applicant

Versus

The State Of Maharashtra ...Respondent

Mr. Sunil Kamble Mr. Sandesh Kamble, Advocate for the Applicant.
Mr. Nitin. B. Patil, APP for the Respondent-State.

IRESH
MASHAL
Digitally
signed by
IRESH
MASHAL
Date:
2025.12.26
13:58:30
+0530

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th DECEMBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. 255 of 2024 registered with Hupari Police Station, District Kolhapur for offences punishable under Sections 103(1), 61(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. It is the prosecution's case that on 29th August 2024 around 11.30 p.m., unknown persons murdered the deceased, who is the owner of the garage. by assaulting him with sharp weapon.

3. It is contention of learned counsel for applicant that initially the offence was registered against unknown persons. In the supplementary statement recorded of the first informant, applicant's name is mentioned. There is no eye witness of the incident, but no specific role is attributed to the applicant.

Applicant is behind bar for more than 1 year 3 months. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant and co-accused assaulted the first informant. The presence of the applicant with co-accused is captured in the CCTV footage. The applicant was present at the time of incident. It shows his involvement in the crime. If applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. It appears from the papers produced on record that the applicant was present at the time of incident as he was supervising, when co-accused were assaulting the deceased. To show the involvement of the applicant and conspiracy with co-accused, evidence is required. Applicant is behind bar for more than three months.

6. Considering these facts, I pass following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in C.R. No. 255 of 2024

registered with Hupari 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. The 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.)