

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

**CRIMINAL BAIL APPLICATION NO. 3327 OF 2025**

Amir Sharif Khan Mohammad .... Applicant

**Versus**

The State of Maharashtra .... Respondent

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Adv. Ganesh Gole a/w Adv. D. M. Latake and Mr. Nikhil D. Gore,  
Advocate for the Applicant.

Mr. P. P. Deokar, A.P.P., for the Respondent – State.

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 2<sup>nd</sup> DECEMBER, 2025.**

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**P.C. :**

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.25 of 2024 registered with Hatkanangale Police Station, Kolhapur, for the offences punishable under Sections 302, 201, 109 read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that Accused No.1 had an illicit relationship with the wife of the deceased, and the Applicant was an obstacle in said relationship. It is alleged that Accused No.1, with the help of present Applicant and the co-accused, murdered the deceased.

3. It is contention of learned counsel for the Applicant that the Applicant has been arrested solely on the basis of the statement of co-accused. There is no recovery at the instance of the Applicant. The Applicant is behind bar for more than one year and ten months, and there is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant along with co-accused, assaulted the deceased with knife. The Applicant had active role in the said crime. If the Applicant is released on bail, he may abscond or threaten the prosecution witnesses. The Applicant is a contract killer and the Accused No. 1 hired his services to murder the deceased. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record.

6. The Applicant is arrested on the basis of the statement of the co-accused. To prove the role of the Applicant evidence is required, as the prosecution's case is based on circumstantial evidence. The Applicant is behind bar for more than one year and ten months, and there is no progress in the trial. Considering these facts, I pass following order:

**ORDER**

- i. Application is allowed.
  - ii. The Applicant be released on bail in connection with C.R. No.25 of 2024 registered with Hatkanangale Police Station, Kolhapur, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
  - iii. The Applicant shall attend the concerned police station as and when required.
  - iv. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness 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.)**