

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

CRIMINAL BAIL APPLICATION NO. 3486 OF 2025

Nitin Dattatray Mali

.... Applicant

Versus

The State of Maharashtra

.... Respondent

SHANTANU
SHANKARSA
DHUDUM

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Mr. Darshan Singh Rajpurohit a/w Mr. Changdev Shingade i/b Mr. Ritesh Thobde, Advocate for the Applicant.

Mr. P. P. Deokar, APP for the State

Mr. Santosh Sargar, PHC, Pandharpur Taluka Police Station – present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd NOVEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.516 of 2023 registered with Pandharpur Taluka Police Station, District: Solapur, for the offences punishable under Sections 302, 404 read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that during intervening night on 16th July, 2023 to 17th July, 2025, the Applicant and co-accused assaulted the father of the first informant with iron pipe and killed him on the

ground of financial dispute. The co-accused is juvenile.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bar for around two years and four months. Only three witnesses have been examined. The prosecution's case is based on circumstantial evidence. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant and co-accused assaulted the deceased with iron pipe. There is recovery of gold rings of the deceased at the instance of the Applicant. The pipe used in the crime is recovered at the instance of the Applicant. Three prosecution witnesses have been examined. If the Applicant is released on bail, he may threaten the prosecution witnesses and requested to reject the application.

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

6. The prosecution's case is based on circumstantial evidence and extra judicial confession of juvenile co-accused. The C.A. report of the blood stains found on the iron pipe used in crime and blood stains of the deceased is yet not received. The Applicant is behind bar for around two years and four months. There are around 15 witnesses. It

may take time to conclude the trial. The Applicant has no antecedent.

7. In view of above, I pass following order:

ORDER

- i. Application is allowed.
 - ii. The Applicant be released on bail in connection with C.R. No.516 of 2023 registered with Pandharpur Taluka Police Station, District: Solapur, 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.
8. The application is allowed in the aforesaid terms and is accordingly disposed off.
9. 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.
10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)