

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

CRIMINAL BAIL APPLICATION NO. 3488 OF 2025

Santosh Tukaram Jadhav

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Abhishek R. Avachat a/w Mr. Deepak S. Nagawade, Advocate for the Applicant.

Mr. Nitin B. Patil, A.P.P., for the Respondent – State.

PSI, S. K. Fugare, Pandharpur Rural Police Station – present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th NOVEMBER, 2025.

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P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.484 of 2023 registered with Pandharpur Rural Police Station, for the offences punishable under Sections 302, 307 read with Section 34 of the of the Indian Penal Code, 1860 (for short, “IPC”) and Sections 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

2. It is prosecution’s case that due to a land dispute, on 4th October 2023, at around 3:30 p.m., the Applicant and co-accused

gave dash to the motorcycle of the deceased from the backside and dragged the said motorcycle for several feet while the deceased remained stuck in the said motorcycle.

3. It is contention of learned counsel for the Applicant that the main allegations are against the Accused No.1 i.e. Ankush. The allegations against the Applicant are that he instigated Ankush to kill the deceased. The Applicant is behind bar for around two years, there is no progress in the trial. The Applicant has no antecedent, hence requested to allow the application.

4. It is contention of learned APP that the Applicant and co-accused dashed the motorcycle of the deceased with a pickup van, which was driven by the Accused No.1, while the Applicant and co-accused were seated in the van. After the collision, the motorcycle along with deceased got stuck under the pickup van. The Accused No.1 then dragged the said motorcycle for 100m to 150 m along with the deceased. At that time, the Applicant allegedly instigated the Accused No.1 to drag the deceased and kill him. It clearly shows that the Applicant's involvement in the said crime. 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. Allegations against the Applicant are of instigation. The main allegations are against the Accused No.1. The Applicant is behind bar for around two years. Though charge is framed, there is no progress in the trial. The Applicant has no antecedent. 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.484 of 2023 registered with Pandharpur Rural Police Station, 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 remain present before the trial Court on each date unless exempted by the Trial Court.
- v. 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.)