

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3500 OF 2025**

Gourai Hanmant Kale Applicant

Versus

The State of Maharashtra Respondent

Ms. Archana Gaikwad i/b Anilkumar Matle, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P., for the Respondent – State.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 20th NOVEMBER, 2025.**

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P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.893 of 2024 registered with Shahupuri Police Station, Kolhapur, for the offences punishable under Sections 103(1), 238, 62 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”).
2. It is prosecution’s case that on 25th September, 2024 around 10:00 p.m., the Applicant and co-accused strangled the deceased who was son-in-law of the Applicant on the ground of physical and mental harassment to her daughter by the deceased.
3. It is contention of learned counsel for the Applicant that the

Applicant has been falsely implicated in this case. The disclosure statement of accused no.1 shows that he has strangled the deceased in the bus. There are no allegations against the Applicant. The Applicant is a lady. She is behind bar for more than one year and two 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 accused no.1 strangled the deceased in moving bus and murdered him. Thereafter, they brought the deceased from bus and placed him at the bus stand. The entire incident is captured in the CCTV footage, which shows involvement of the Applicant in the crime. If the Applicant is released on bail, she may threaten the prosecution witnesses. Hence, requested to rejected the application.

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

6. The CCTV footage shows the presence of Applicant in the crime. In disclosure statement, accused no.1 has stated about the happening of incident. From disclosure statement, it shows that there was no involvement of the Applicant in the crime. Moreover, the Applicant is a lady. She is behind bar for more than one year and two

months. Investigation is completed and charge-sheet has been filed. She has no antecedents. Considering these facts, her further custodial interrogation is not required, and I pass the following order:

ORDER

- i. Application is allowed.
 - ii. The Applicant be released on bail in connection with C.R. No.893 of 2024 registered with Shahupuri 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.
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.)