

Mr. Irshad Malik a/w Mr. Sajid Mahat for the applicant
Mr. S. S. Chaudhari APP for the State

CORAM : SHIVKUMAR DIGE, J.
DATE : 3rd DECEMBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in Crime No. 422/2024 registered with Sangli City Police Station, District Sangli for offences punishable under Sections 103(1), 189(2), 189(4), 191(2), 191(3), 190 and 46 of Bhartiya Nyay Sanhita, 2023 and under Sections 4 and 25 of the Arms Act and under Sections 37(1)(3), 135 of The Maharashtra Police Act.

2. It is the prosecution's case that on 27th August 2024 around 4.45 p.m. when brother of the first informant was going to the gym, co-accused assaulted him with fist and kick blows and sickle. It is alleged that co-accused assaulted on the head and other body parts of

the deceased with sickle and applicant was present at the incident spot and he was instigating the co-accused to kill the deceased. It is alleged that deceased had love affair with relative of the applicant.

3. It is contention of learned counsel for applicant that there are no allegations against the applicant that he participated in the assault. No evidence is produced on record to prove the conspiracy with the co-accused by the applicant. The allegations against the applicant are of instigation. The applicant has been falsely implicated in this case. The applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the incident is witnessed by the first informant. He has specifically stated that the applicant was present at the incident spot and he was instigating the co-accused to kill the deceased. Earlier, on 22nd February 2023, there was quarrel between the applicant and deceased and it was settled, but the applicant had grudge against the deceased. There are statement of eye witnesses which shows presence of the applicant at the incident spot and he was instigating the co-accused. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

5. I have heard both learned counsels, perused F.I.R. and documents produced on record. The incident is witnessed by the first informant. The deceased was brutally assaulted. Two sickles were got stuck in his head. The first informant and other eye witnesses had seen the applicant at the incident spot. He was instigating the assailant to kill the deceased. The applicant had motive to kill the deceased. There was financial dispute between the applicant and deceased. If applicant is released on bail, he may abscond or threaten prosecution witnesses and first informant and I pass following order:

ORDER

I. The application is rejected.

(SHIVKUMAR DIGE, J.)