

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

CRIMINAL BAIL APPLICATION NO. 3541 OF 2025

Sagar Ashok Waghmare

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Adv. Vasim F. Momin a/w Adv. S. S. Kadam and Adv. A. U. Bhosale,
Advocate for the Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd DECEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.234 of 2024 registered with Vita Police Station, for the offences punishable under Section 302 of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that on 30th May, 2024, the uncle of the first informant was murdered by the Applicant, who struck on his head with a cement block.

3. It is contention of learned counsel for the Applicant that the

Applicant is behind bar for more than one year and six months. There are contradictions in the statement of prosecution witnesses. The incident occurred in sudden provocation. There was only one blow on the head of the deceased, so it was not intention to murder the deceased. The Applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant had enmity with the deceased. He had assaulted on the head of the deceased with cement block with intention to kill him and murdered. There were eye witnesses to the incident. If the Applicant is released on bail, he may threaten the prosecution witnesses and first informant. Learned APP further submitted that the Applicant is identified in TI parade. Hence, requested to reject the application.

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

6. It appears from the record that the incident happened suddenly, there was only one blow inflicted by the Applicant on the head of the deceased. To prove enmity evidence is required. The Applicant is behind bar for more than one year and six months. He has no antecedents, 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.234 of 2024 registered with Vita 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.)