

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

CRIMINAL BAIL APPLICATION NO. 3566 OF 2025

Saurabh Hanmant Koravi

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Pratik G. Tare a/w Mr. Sachin Y. Mane, Advocate for the Applicant.

Mr. S. H. Yadav, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th DECEMBER, 2025.

Digitally
signed by
SHANTANU
SHANKARSA
DHUDUM
Date:
2025.12.10
14:36:42
+0530

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R.No.524 of 2024 registered with Hatkanangle Police Station, Kolhapur, for the offences punishable under Sections 103 (1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”).

2. It is prosecution’s case that on 23rd March, 2024 at around 9:40 p.m., the Applicant and co-accused assaulted the deceased with knife and iron rod and murdered him.

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

according to the prosecution's case, the incident was witnessed by the witness Shri. Dipak Kunnure. In his statement under Section 161 of the Cr.P.C., he has stated before the police that the incident happened in his presence and described the role attributed to each of the accused. However, in his statement under Section 164 of the Cr.P.C., he has not stated anything against the Applicant. The same statement is given by the eye witnesses Shri. Dhanaji Gurav and Shri. Prithviraj Nigave. The Applicant is behind bar for more than one year and two months and there is no progress in the trial, and requested to allow the application.

4. It is contention of learned APP that the Applicant along with co-accused assaulted the deceased with knife and iron rod and murdered him. The rod used in the crime recovered at the instance of the Applicant. The witnesses have seen, the Applicant and co-accused assaulted the deceased. There is direct evidence against the Applicant, and requested to reject the application.

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

6. As per prosecution's case, the incident is witnessed by the Shri. Dipak Kunnure; however, in his statement under Section 164 of

the Cr.P.C., he has not stated anything against the Applicant. The evidentiary value of the statement given by eye witnesses can be considered at the time of trial. Since, the eye witnesses have not stated anything against the Applicant in their statement recorded under Section 164 of the Cr.P.C., and the Applicant is behind bar for more than one year and two months and there is no progress in the trial. The co-accused being Children in Conflict with law have been released on bail. 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.524 of 2024 registered with Hatkanangle 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.
- iv. 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.)