

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 3638 OF 2025**

Sani Rajendra Kirte	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Rajesh S. Jadhav for the applicant
Dr. A. A. Takalkar APP for the State

CORAM : SHIVKUMAR DIGE, J.
DATE : 23rd DECEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No. 185 of 2024 registered with Akulj Police Station, District Solapur for offences punishable under Sections 302, 143, 147, 148, 149, 323, 506, 452, 427 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. It is the prosecution's case that on 16th April 2024 around 9.00 p.m., when first informant's brother was taking dinner at her house at that time, applicant and co-accused barged in their house alongwith weapons and assaulted brother of the first informant with sword, sickle and wooden stick on the ground of old dispute. Due to said assault, brother of the first informant has died.

3. It is contention of learned counsel for applicant that

applicant is behind the bar for more than 1 year 8 months. Investigation is completed and charge-sheet has been filed. The applicant has no antecedents. No specific role attributed to the applicant in the said assault. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant was part of group who assaulted the first informant's brother. There was common intention of the applicant to kill the deceased. 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. In the F.I.R., specific role is attributed to the co-accused who assaulted the brother of the first informant with sword and sickle. No specific role is attributed to the applicant. Applicant is behind bar for more than 1 year 8 months. The applicant has no antecedents. It may take time to conclude the trial.

6. In view of above, I pass following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in Crime No. 185 of 2024 registered with Akuj Police Station, District Solapur on executing P.R.Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.

III. The Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.

IV. The Applicant shall attend the Trial Court dates, regularly.

V. The applicant shall not enter in Malshiras Taluka till recording of evidence of the first informant and eye witnesses.

VI. The application is allowed in the aforesaid terms and is accordingly disposed off.

VII. 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.

VIII. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)