

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION. NO. 4036 OF 2024

HARISH
VITHAL
CHAUDHARI

Dadaso Alias Bapurao Shashaji Pawar ...Petitioner

Versus

State Of Maharashtra ...Respondent

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by HARISH
VITHAL
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Date: 2025.11.11
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Mr. Narendra Babre for the Applicant.

Mr. P. P. Deokar, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th NOVEMBER, 2025

P.C.:

1. The applicant is seeking regular bail in crime no.773 of 2023 registered with Dahiwadi Police Station, Satara, Dist-Satara for the offence punishable under Section 302 of Indian Penal Code, 1860.

2. It is prosecution's case that during the period from 7th October, 2023 to 8th October, 2023, the applicant assaulted the son and daughter-in-law of the first informant on the ground of old dispute with axe and murdered them.

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

the prosecution's case is based on circumstantial evidence. There is no eye witness to the incident. The applicant is behind bar more than two years. The blood stains cloths were seized at the instance of the applicant. The report of it's shows non-conclusive. There was no motive to the applicant to kill the deceased. The applicant has no antecedents and he is falsely implicated in this case. Hence, requested to allow the application.

4. It is contention of learned APP that it is alleged that the son of the deceased had raped the daughter of the applicant. The said case was going on. Due to act of son of the deceased, the applicant has killed the deceased and his wife. Learned APP further submitted that the weapon i.e. axe used in crime and the blood stained cloths are recovered at that instance of the applicant. Charge is framed. The trial is in progress. Though prosecution witnesses remained present the applicant is not cross-examining the witnesses only to prolong the trial and requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record.

6. The applicant had motive to kill the deceased and his wife as it is alleged that the son of the deceased raped the daughter of the applicant. The axe used in the crime is recovered at the instance of the applicant. The applicant has brutally murdered the deceased and his wife. Though applicant is seeking bail on the basis of long incarceration of more than two years, as per contention of learned APP, the applicant is not examining the prosecution witnesses. It shows that the applicant deliberately prolonging the trial to make ground for bail. The applicant and prosecution witnesses stays in the same village. If the applicant released on bail, he may threaten the prosecution witnesses. In view of the above, I pass following order.

O R D E R

Application is rejected.

[SHIVKUMAR DIGE, J.]