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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1214 OF 2024

Suraj Prakash JadhavAppellant

Vs.

The State of MaharashtraRespondents
and anr

Mr. Satyavrat Joshi a/w Ms. Shivaji Kondekar a/w Mr. Yash
Fadtare for the appellant
Mr. S. N. Deshmukh APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st AUGUST 2025.

ORDER:

1. By this appeal, appellant is seeking regular bail in C.R. No. 55 of 2024 registered with Kurundwad Police Station, District Kolhapur for offences punishable under Sections 302, 201, 120(B) r/w 34 of the Indian Penal Code.
2. It is the prosecution's case that between period of 7th February 2024 to 8th February 2024 appellant and co-accused

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kidnapped the deceased and murdered him.

3. It is the contention of learned counsel for appellant that there are no allegations against the appellant that he had participated in the murder of the deceased. The allegations of murder of deceased are against co-accused. Learned counsel for the appellant further submitted that appellant is behind the bar for more than 1 year and 6 months. Though charge is framed, there is no progress in the trial. Hence, requested to allow the appeal.

4. It is the contention of learned APP alongwith respondent no. 2 that appellant and co-accused kidnapped the deceased and murdered the deceased by stabbing with knife. Learned APP further submitted that appellant helped the co-accused to murder the deceased. He was in continuous contact with the co-accused. The C.D.R. details produced on record supports this fact. Learned APP further submitted that after murder of the deceased, blood stained clothes of the co-accused have been disposed of by the appellant . It shows his involvement in the crime. if appellant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to dismiss

the appeal.

5. I have heard all the learned counsel, perused F.I.R. and documents produced on record. The allegations against the appellant that he was in conspiracy with the co-accused to murder the deceased and he disposed of blood stained clothes of the co-accused. It is alleged that appellant helped the co-accused in the said crime. There are no allegations against the appellant that he actively involved in the murder of the deceased. To prove the conspiracy of the appellant in the crime, evidence is required. Disposing of the articles used in the crime is bailable offence. Appellant is behind the bar for more than 1 year and 6 months. Though charge is framed, there is no progress in the trial.

6. Considering these facts, further detention of applicant is not required and I pass following order :

ORDER

I. Appeal is allowed.

II. Appellant be enlarged on bail in C.R. No. 55 of 2024 registered with Kurundwad Police Station, District Kolhapur on executing PR.Bond in the sum of Rs.30,000/- with one

or two sureties in the like amount.

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

IV. Appellant shall attend the Trial Court dates, regularly.

7. The appeal 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.]