

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

CRIMINAL BAIL APPLICATION NO.4945 OF 2024

Bhimrao Balaso Olekar ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Satyavrat Joshi (Through V.C.) a/w Mr. Samay Pawar for Applicant.

Ms. Veera Shinde, APP for Respondent-State.

PSI Ravindra Bhapkar, Kavathemahakal Police Station, present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 21st AUGUST 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.312 of 2024 registered with Kavathemahakal Police Station, District Sangli for the offences punishable under Sections 109(1)(3) (5) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and Sections 4 & 25 of the Arms Act.

2. It is prosecution’s case that on 9th July 2024 at around 9:30 p.m., applicant and co-accused assaulted the brother of the first informant with intention to kill him with axe and sharp weapon.

3. It is contention of learned counsel for applicant that applicant is behind bar for more than one year. Investigation is completed, charge-sheet has been filed. There is no progress in trial. Hence, requested to allow the bail application.

4. It is contention of learned A.P.P. that applicant and co-accused assaulted the brother of the first informant with intention to kill him. He has seriously injured in the said assault. If the applicant released on bail, he may threaten prosecution witnesses and first informant. Hence, requested to reject the application.

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

6. The allegations against the applicant are that he and co-accused assaulted the brother of first informant with axe and sharp weapon with intention to kill him. The applicant is behind bar for more than one year. There is no progress in trial. Investigation is completed and charge-sheet has been filed. Applicant has one antecedent. He has been acquitted from the said offence. Considering these facts, his further detention is not required.

7. In view of the above, I pass the following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.312 of 2024 registered with Kavathemahakal Police Station, District Sangli, on executing PR.Bond in the sum of Rs.30,000/- 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 first informant, witnesses or any person concerned with the case.

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

9. 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.

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

(SHIVKUMAR DIGE, J.)