

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 5055 OF 2024

Manik Dattu Pawar

.....Applicant

Vs.

The State of Maharashtra

.....Respondent

Mr. Sharad Bhosale a/w Mr. Satyavrat Joshi, Mr. Rushikesh Munde for the applicant

Mr. S. S. Chaudhari APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th AUGUST 2025

PC.:

1. By this application, applicant is seeking regular bail in C.R. No. 556 of 2023 registered with Islampur Police Station, District Sangli for offences punishable under Sections 302, 326, 504 r/w 34 of the Indian Penal Code.

2. It is the prosecution's case that on 1st October 2023 around 9.30 p.m., first informant alongwith deceased went to the house of the applicant as applicant had abused them. It is alleged that at that time, suddenly co-accused came there and

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2025.08.22
11:06:46
+0530

stabbed the deceased with knife.

3. It is the contention of learned counsel for applicant that applicant was not involved in the act of stabbing. Main allegations are against co-accused Pintu Pawar who stabbed the deceased with knife. The allegation against the applicant is that applicant was present at the time of incident. Applicant is behind the bar around 22 months. Hence, it is requested by learned counsel for applicant to allow the application.

4. It is the contention of learned APP that the main reason of killing of the deceased is applicant had abused to the cousin of first informant. On that ground, first informant alongwith deceased had gone to the house of applicant. At that time, incident has happened. Co-accused is real brother of the applicant. It is submitted by learned APP that if applicant is released on bail, he may abscond, threaten prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. In the F.I.R., the allegations of stabbing to the deceased is against co-accused. It is the

contention of learned APP that applicant had common intention with co-accused to kill the deceased. To prove the common intention, evidence is required. Applicant is behind the bar around 22 months.

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

ORDER

I. Application is allowed.

II. The applicant be enlarged on bail in C.R. No. 556 of 2023 registered with Islampur 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 witnesses or any person concerned with the case.

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

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.]