

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 105 OF 2025

Sarang @ Raya Rohan R.
Thakode

.....Applicant

Vs.

The State of Maharashtra

.....Respondent

Mr. Aniket Nikam a/w Atharva Bhingardevi i/b Mr. Sumit Patil
for the applicant

Mr. Anand S. Shalgaonkar APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd SEPTEMBER 2025

PC.:

1. By this application, applicant is seeking regular bail in C.R. No. 639/2022 registered with Tembhurni Police Station, District Solapur for offences punishable under Sections 302, 307, 324, 504 r/w 34 of the Indian Penal Code.

2. It is the prosecution's case that on 17/10/2022 around 2.00 p.m., applicant and co-accused assaulted the deceased with iron rod and wooden rod on the ground that deceased did not

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2025.09.04
19:30:48
+0530

give them piglet. The allegations against the applicant are that he assaulted the deceased with wooden rod on his back and legs.

3. It is the contention of learned counsel for applicant that death of the deceased is caused due to head injury. The allegations of assault on head is against the co-accused. He has used iron rod while assaulting the deceased. The allegations against the applicant are that he assaulted the deceased with wooden rod on his leg and back. There are no allegations against the applicant that he assaulted the deceased on vital parts of the body. applicant is behind bar for more than three years. There is no progress in the trial. He has no criminal antecedents. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant and co-accused, assaulted the deceased in a preplanned manner and murdered him. Applicant and co-accused had common intention to kill the deceased as he refused to give piglet to applicant and co-accused. There was motive of the applicant to kill the deceased. If applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject

the application.

5. I have heard both the learned counsel, perused F.I.R. and documents produced on record. The allegations against the applicant are that he assaulted the deceased with wooden rod on his back and legs. Whether the applicant had common intention to kill the deceased or not is part of the trial. applicant is behind bar around three years. He has no antecedents.

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

ORDER

I. Application is allowed.

II. Applicant be enlarged on bail in C.R. No. 639/2022 registered with Tembhurni 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. Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.

IV. 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.]