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

CRIMINAL BAIL APPLICATION NO. 256 OF 2025

Rahul Kiran BhambireApplicant

Vs.

The State of MaharashtraRespondent

Mr. V. V. Phatate for the applicant
Ms. Veera Shinde APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th AUGUST 2025

P.C.:

1. By this application, the applicant is seeking regular bail in C.R. No. 308 of 2023 registered with Kurundwad Police Station for the offences punishable under Sections 302, 120(B), 143, 147, 149 of the Indian Penal Code and Section 5, 27 of Arms Act and Section 135 of Bombay Police Act.

2. It is the prosecution that on 15/10/2023, first informant while working in the field, he did not find his brother-in-law. Hence, he searched him and found him in injured condition. He was seriously injured. The injuries were appearing on all over

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the body. When he went near him, he uttered the name “Rahul Bhambire Rahul Bhambire” i.e. the applicant. Immediately, the first informant called other persons and shifted the deceased in the hospital. While taking to hospital, he died. It is alleged that the applicant had quarrel with deceased in the year 2018 on the ground of overtaking of vehicle. In the investigation, the police arrested the applicant and co-accused. It is alleged that the applicant conspired with the co-accused and murdered the deceased.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. No weapon is recovered at the instance of the applicant. The alleged incident of earlier quarrel had occurred five years prior to the date of incident. The applicant is behind the bar for more than two years. Yet there is no progress in the trial and requested to allow the application.

4. It is the contention of the learned APP that the applicant is a main culprit. He has murdered the deceased with the help of co-accused. There is evidence to show that the applicant had transferred Rs. 10,000/- to the co-accused. The weapon used in

the crime has been recovered from the co-accused. The applicant had conspired with co-accused to kill the deceased. She submits that if the applicant is released, he may abscond or threaten the prosecution witnesses, hence, requests to reject the application.

5. I have heard both the learned counsel. Perused the charge-sheet. The prosecution story is based on circumstantial evidence. It is alleged that when the first informant met the deceased, he uttered the name of the applicant and it is the prosecution's case that there was quarrel between the applicant and deceased prior to five years of the incident. Whether, the applicant had killed the deceased on the basis of prior enmity or not is part of evidence. No weapon is recovered at the instance of the applicant. The applicant is behind the bar for more than two years, yet there is no progress in the trial. To prove the role of conspiracy of the applicant, trial is required.

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

ORDER

I. The applicant be enlarged on bail in C.R. No. 308 of 2023

registered with Kurundwad Police Station on executing P.R.
Bond in the sum of Rs.30,000/- with one or two sureties in the
like amount.

II. The applicant shall not tamper with the evidence or attempt
to influence or contact the witnesses or any person concerned
with the case.

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

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

6. 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.

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

[SHIVKUMAR DIGE, J.]