

Harish

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

CRIMINAL BAIL APPLICATION NO.281 OF 2025

Prakash Somappa Chavan And Anr	Applicants
Vs.	
The State Of Maharashtra	Respondent

HARISH
VITHAL
CHAUDHARI

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by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.12
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Mr. Aniket Nikam a/w Atharva R. B. & Pratik Jadhav for the Applicants.
Mr. N. B. Patil, APP for the Respondent-State.
PSI. P. R. Mane, Jaisingpur Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th SEPTEMBER 2025

P.C.:

1. Heard learned counsel for the applicants and learned APP for the respondent-state.
2. Learned counsel for the applicants, on instructions, seeks leave to withdraw the bail application on behalf of applicant no. 1 with liberty to file a fresh bail application after five months.
3. Considering the submissions of learned counsel for the applicants, bail application on behalf of applicant no. 1 is allowed to withdraw with aforesaid liberty.

4. Regular bail application on behalf of applicant no. 1-Prakash Somappa Chavan is disposed of as withdrawn.

5. By this application, the applicant no.2 Raju Walappa Naik is seeking regular bail in C.R.No. 280 of 2024 registered with Jaysingpur Police Station, Dist- Kolhapur for the offences punishable under Section 302, 201, r/w 34 of the Indian Penal Code 1860.

6. It is the prosecution's case that the deceased was the maternal aunt of accused no. 1. She had sold her flat and received amount. It is alleged that to rob the said amount, accused no. 1 and applicant no. 2 murdered the deceased by strangulation and robbed the said amount.

7. It is the contention of learned counsel for the applicants that the applicant no. 2 is behind bar more than one year. Investigation is completed. Chargesheet has been filed. The main allegations are against accused no. 1. The allegations against the applicant no. 2 that he has disposed of the dead body of the deceased. Hence, requested to allow the application.

8. It is the contention of the learned APP that accused no. 1 and applicant no. 2 in conspiracy, murdered the deceased by

strangulation and robbed the flat sale amount and disposed of her body. If the applicant no.2 released on bail he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

9. I have heard both learned counsel. Perused the FIR and documents produced on record.

10. It appears from record that main allegations are against accused no. 1 and allegations against applicant no. 2 are that he has helped accused no. 1 to dispose of the dead body of deceased. Applicant no. 2 is behind bar more than one year. Investigation is completed. Chargesheet has been filed. There is no progress in the trial. Considering the above facts, further detention of the applicant is not required.

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

ORDER

(i) The application is allowed.

(ii) The applicant no. 2 Raju Walappa Naik be enlarged on bail in C.R.No. 280 of 2024 registered with Jaysingpur Police Station, Dist: Kolhapur, on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the trial court proceeding regularly.

(iv) The applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

12. The application is allowed in the aforesaid terms and is accordingly disposed of.

13. 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.

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

[SHIVKUMAR DIGE, J.]