

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

CRIMINAL BAIL APPLICATION NO.369 OF 2025

Mayur Dadaso Padalkar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Vikas R. Kolekar, Mr. Kunal Shirgire, Mr. Prashant Patole, Mr. Pushkar Nagvekar for Applicant.

Mr. S. S. Chaudhari APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 19th AUGUST 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.164 of 2024 registered with Kadegaon Police Station, District Sangli for the offences punishable under Sections 103(1), 118(1), 115(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”).

2. It is prosecution’s case that on 5th August 2024 around 9:30 p.m., applicant and co-accused assaulted the deceased with fist and kick blows with sharp weapon on old dispute and murdered him.

3. It is contention of learned counsel for applicant that applicant has been falsely implicated in this case. The allegations

against applicant are that he assaulted the deceased with fist and kick blows. Main allegations are against the co-accused, who assaulted him with sharp weapon and stone. Applicant is behind bar for more than one year. Though charge is framed, there is no progress in trial and requested to allow the application.

4. It is contention of learned A.P.P. that applicant and co-accused brutally assaulted the deceased with sharp weapon, stone and fist and kick blows. Applicant was the part of group, who assaulted the deceased. Applicant was actively involved in the murder of deceased. If applicant released on bail, he may threaten the prosecution witnesses or may abscond. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. The allegations against the applicant are that he along with co-accused assaulted the deceased with fist and kick blows and he threatened the witnesses, who was present at the time of incident. There are no allegations against the applicant that he assaulted the deceased with sharp weapon. The main allegations are against the co-accused. Considering the role attributed to the applicant as well as applicant is behind bar more than one year,

there is no progress in trial. Considering these facts, his further detention is not required.

6. 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.164 of 2024 registered with Kadegaon 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 enter in Kadegaon Taluka till recording of evidence of eye witnesses.

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

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.)