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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 674 OF 2025

Onkar Kallapa Taral

.....Applicant

Vs.

The State of Maharashtra

.....Respondent

Mr. Aniket Nikam a/w Atharva R.B. and Mr. Pramod Sutar i/b
Mr. Sumit Patil for the applicant
Mr. S. H. Yadav APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th SEPTEMBER 2025

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 395/2024 registered with Gadhinglaj Police Station, District Kolhapur for offences punishable under Sections 109 r/w 3(5) of Bhartiya Nyay Sanhita, 2023 (for short 'BNS').

2. It is the prosecution's case that on 1st July 2024 around 9.15 p.m. when the victim Rajendra Kumbhar was proceeding on road in his tempo, at that time, applicant and co-accused intercepted the said tempo and assaulted the victim with sharp

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weapon with intention to kill him.

3. It is the contention of learned counsel for applicant that in the F.I.R. name of the applicant is not mentioned. There is no recovery at the instance of the applicant. The clothes of the applicant are recovered but there are no blood stains found on it. The main allegations are against co-accused. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant and co-accused assaulted the victim with sharp weapon with intention to kill him. The injured in the statement given to the police, has specifically stated about the role of the applicant. Learned APP further submits that trial has commenced and one witness is examined. If applicant is released on bail, he may abscond or threaten the 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 complaint filed by the first informant, there is no mention of the name of the applicant. applicant is behind bar for more than one year. There

is no recovery of weapon at the instance of the applicant. To prove the role of the applicant in the crime, evidence is required. Applicant 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. 395/2024 registered with Gadhinglaj Police Station, District Kolhapur 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.]