

Harish

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

CRIMINAL BAIL APPLICATION NO.1108 OF 2025

Jagdish Nayku Kamble	Applicant
Vs.	
The State Of Maharashtra	Respondent

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.12
17:35:30 +0530

Adv. Ishan Kapase & Amol Kanaki i/b Mandar Soman for the Applicant.
Ms. P. S. Rane, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th SEPTEMBER 2025

P.C.:

1. By this application, the applicant is seeking regular bail in C.R.No. 274 of 2020 registered with Gandhinagar Police Station, Dist- Kolhapur for the offences punishable under Section 302 of the Indian Penal Code, 1860.
2. It is the prosecutions case that on 7st October 2020 at around 8.15 p.m. the applicant murdered the deceased by throttling.
3. It is the contention of learned counsel for the applicant that the applicant is behind bar more than five years. The incident happened due to sudden provocation. There is no eye

witnesses to the incident. The deceased was habitual drunkard. The applicant is a karta of his family. Hence, requested to allow the application.

4. It is the contention of the learned APP that the applicant has murdered the deceased. The incident is witnessed by one eye witness. Applicant by sitting on chest of the deceased was throttling him. If the applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

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

6. Applicant is behind bar more than five years. There is no progress in the trial. It appears from the record that incident happened out the sudden provocation. The applicant is karta of his family. Investigation is completed. Chargesheet has been filed. It may take time to conclude the trial. Considering the above facts, further detention of the applicant is not required.

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

ORDER

(i) The application is allowed.

(ii) The applicant be enlarged on bail in C.R.No. 274 of 2020 registered with Gandinagar 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 attend the concerned police station as and when required.

(v) 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.

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

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

9. 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.

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

[SHIVKUMAR DIGE, J.]