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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2475 OF 2025

Sagar @ Manish Shailesh BelamkarApplicant

Vs.

The State of MaharashtraRespondent

Mr. H. B. Suryawanshi a/w Mr. Shailesh Chavan for the
applicant

Ms. Veera Shinde APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th AUGUST 2025

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 905 of 2024 registered with MIDC Police Station, for offences punishable under Sections 109, 115(2), 118(1), 189(2), 189 (4), 191(2), 191(3) of of the Bharatiya Nyay Sanhita, 2023 (BNS), Sections 4, 25 of the Arms Act, Section 7 of the Criminal Law Amendment Act, 1932.

2. It is the prosecution's case that on 31st December 2024, when the first informant and his friend were proceeding on

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motorcycle, at that time, applicant and co-accused assaulted the first informant and his friend with an intention to kill him with sword, knife, axe and iron ring.

3. It is the contention of learned counsel for applicant that applicant is behind the bar for more than 8 months. Investigation is completed and charge-sheet has been filed. Co-accused have been released on bail.

4. It is the contention of learned APP that applicant is a habitual offender. Six offences are registered against him. When applicant had executed bond under Section 110 of Code of Criminal Procedure, 1973, he has committed this offence. It is submitted by learned APP that if applicant is released on bail, he may commit further offence and he is a threat to the society, hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. The allegations against the applicant are that he alongwith co-accused assaulted the first informant and his friend with sharp weapons with an intention to kill the first informant. The injury certificate of the first

informant produced on record shows that first informant has received simple injuries. Whether applicant had intention to kill the first informant or not is part of trial. Though applicant has criminal antecedents, he has been released on bail in the said offences. Applicant is behind the bar for more than 8 months. Investigation is completed and charge-sheet has been filed. The co-accused who were part of the group to assault the first informant and his friend have been released on bail.

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. 905 of 2024 registered with MIDC Police Station on executing P.R.Bond in the sum of Rs.30,000/- 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.

V. Applicant shall not enter in Solapur District till recording of evidence of the first informant and eye witnesses.

VI. If applicant breaches the condition, it will be a ground for cancellation of bail.

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.]