

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

CRIMINAL BAIL APPLICATION NO. 3236 OF 2024

Abhishek Sharad Mahadik ...Applicant

Versus

The State of Maharashtra ...Respondent

....

Mr. Satyavrat Joshi a/w Mr. Samay S. Pawar, Mr. Yash G. Fadtare,
Mr. Priyesh S. More, Mr. Ashish Kachole, Advocate for the
Applicant.

Mrs. Veera Shinde, A.P.P. for the Respondent – State.

....

CORAM : N. R. BORKAR, J.
DATE : 17th FEBRUARY, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.246 of 2023 registered with Kadegaon Police Station, District : Sangli for the offences punishable under Sections 302, 307, 324, 504 r/w Section 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.
3. The deceased was the wife of the complainant. The complainant and the co-accused Sharad Mahadik are real brothers. The applicant is the son of the co-accused Sharad. It is alleged that there was a dispute between the complainant and the co-accused Sharad on account of certain financial

issues. It is alleged that on the date of incident which took place on 30.12.2023, the dispute arose between the complainant and the co-accused Sharad on account of said financial issues and during the said dispute, co-accused Sharad and the present applicant assaulted the complainant by sharp weapon. It is alleged that when the complainant was being assaulted, the wife of the complainant, who is the deceased in the present crime was there. She tried to intervene. It is alleged that at that time, the co-accused Ujjwala, the wife of the co-accused Sharad, had snatched the knife from co-accused Sharad and assaulted the deceased. It is alleged that the present applicant also assaulted the deceased on her head with Koyata.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that there is no corresponding injury in relation to the alleged assault by the present applicant on the head of the deceased. It is submitted that at the time of alleged incident the complainant was also armed with knife and there is a cross FIR to that effect. It is submitted that the applicant is aged about 21 years and there are no other criminal antecedents against him. Learned counsel for the applicant submits that considering the facts and circumstances of the case, the applicant may be released on bail.

6. On the other hand, the learned A.P.P. for the

Respondent-State submits that the applicant is involved in serious crime of murder. It is submitted that the specific *overt-act* is attributed to the present applicant. The learned A.P.P. submits that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the Post-Mortem report of the deceased. The cause of death is due to hemorrhagic shock due to cut throat injury along with multiple incised wounds over the body. The cut throat injury is attributed to the co-accused Ujjwala. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

- (i) The Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.246 of 2023 registered with Kadegaon Police Station, District : Sangli for the offences punishable under Sections 302, 307, 324, 504 r/w Section 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act 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 concerned Police once in a month i.e. on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)