

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 130 OF 2025

Santosh Mahadev Narute

... Appellant

Versus

State of Maharashtra & Anr.

... Respondents

.....

Mr. Satyavrat Joshi a/w. Mr. Samay Pawar and Mr. Yash Padtare, Advocates for the Appellant.

Mr. S. A. Karmarkar, APP for the State.

Mr. Akshay Kulkarni, Advocate for Respondent No.2.

API – Birappa Lature, Jath Police Station Sangli present.

CORAM : SHIVKUMAR DIGE, J.

DATED : 17th JULY, 2025.

P. C. :

1. The appellant is seeking regular bail in C.R.No. 291 of 2024 registered with Jath Police Station, Sangli for the offence punishable under Sections 302, 504 read with 34 of Indian Penal Code, 1860 and under Sections 3(1)(r), 3(1)(s), 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. It is prosecution's case that mother of the appellant had illicit relations with the deceased. On 02.06.2024, at around 2.30 p.m., the appellant and co-accused brother assaulted the uncle of first informant with knife and iron rod and killed him.

3. It is contention of learned counsel for the appellant that allegation against the appellant is that he assaulted the deceased with iron rod. The main allegations are against the co-accused who assaulted the deceased with knife and stabbed him with the knife. The appellant is behind bar for more than one year. Considering allegations against the appellant, his custodial interrogation is not required and requested to allow the appeal.

4. It is contention of learned APP along with learned counsel for respondent No.1 that appellant and co-accused in conspiracy killed the deceased. Learned APP further submitted that it has come in the statement of mother of the appellant that, the appellant and co-accused had bought knife and iron rod prior to incident which shows that attack was made with conspiracy. It was preplanned murder. If the appellant is released on bail, he may threaten the prosecution witnesses, hence requested to dismiss the appeal.

5. I have heard all learned counsel. Perused impugned order and charge-sheet. The allegations against the appellant are that he assaulted the deceased with iron rod. The main allegations are against co-accused who assaulted the deceased with knife and stabbed knife in his chest. The appellant is behind bar for more than one year, his further detention is not required and I pass following order :

ORDER

- i. In connection of C.R.No. 291 of 2024 registered with Jath Police Station, Sangli, the appellant shall be released on bail on executing P.R.Bond in the sum of Rs.20,000/- with one or two solvent sureties in the like amount.
 - ii. The appellant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
 - iii. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
 - iv. The appellant shall attend the Police Station as and when required.
 - v. The appellant shall not enter in Jath Taluka except attending Court dates and Police Station till framing of charge.
6. The Appeal is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)