**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIRCUIT BENCH AT KOLHAPUR**
**CRIMINAL APPELLATE JURISDICTION**
**BAIL Application NO. 455 OF 2026**

Devendrappa Aadmas Pawar ...Applicant

Versus

State of Maharashtra And Anr. ...Respondents

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Mr. Satyavrat Joshi (through V.C.) a/w Yash Fadtare, Vaibhav Halake and Sairaj Suryawanshi, Advocate for the Applicant.

Mr. S. H. Yadav, APP for the Respondent – State.

HC S. S. Dhekale, Murgud Police Station, is present.

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**CORAM : ASHWIN D. BHOBE, J.**
**DATE : 6th October, 2026.**

**P.C.** :

1. Heard, Mr. Satyavrat Joshi, learned Advocate for the Applicant and Mr. S. H. Yadav, learned APP for the Respondent – State.

2. By the present Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks regular bail in connection with Crime No. 46 of 2024, registered at Murgud Police Station, for offences punishable under Sections 302, 307 and 120-B read with Section 34 of the Indian Penal Code, 1860.

3. Mr. Satyavrat Joshi, learned Advocate for the Applicant, states that there are three (3) accused in Crime No. 46 of 2024, with the Applicant as Accused No. 1. He submits that Crime No. 46 of 2024 has

now been registered as Sessions Case 127 of 2024 and is pending before the Additional Sessions Judge, Kolhapur ("Trial Court").

4. In brief, the prosecution case is that on 06.02.2024, at about 6:30 p.m., the Applicant and the co-accused committed the murder of the wife of the Informant (Siksen Murlidhar Bhosale) during a quarrel that escalated into a fight due to a prior dispute between them. The weapon used in the assault was a Spearhead ("भाल्याचे पाते").

5. The Applicant was arrested on 07.02.2024. The Bail Application at Exhibit-4, filed by the Applicant in Sessions Case No. 127 of 2024, was rejected by the Trial Court on 06.02.2025.

6. Mr. Satyavrat Joshi, learned Advocate for the Applicant, by referring to the statement of the Informant, submits that the allegations against the Applicant are that the assault at the hands of the Applicant, which was aimed at the Informant, landed on the wife of the Informant (deceased), who sustained injuries to her chest and neck. He submits that the allegations appear to be exaggerated. He submits that the Informant has specifically stated that the weapon used in the crime is a Spearhead (भाल्याचे पाते). He, by referring to the memorandum of

postmortem, submits that the injuries on the deceased are “Contused Lacerated Wounds” (CLW). He submits that at the most the incident can be said to be out of a scuffle, wherein there was no intention on the part of the Applicant to kill the deceased or any person involved in the said scuffle. He submits that accused no. 2 (Piyush @ Titan Aadmas Pawar), who is said to have assisted the applicant in the assault, has been released on bail by this court vide order dated 03.12.2025, passed in Criminal Bail Application No. 1173 of 2025, (Coram : Shivkumar Dige, J.). Mr. Satyavrat Joshi refers and relies paragraph Nos. 5 and 6 of the order dated 03.12.2025, which read as thus :-

> *5. I have heard both learned counsel, perused F.I.R. and documents produced on record. As per prosecution's case, the applicant had caught hold the first informant whereas co-accused tried to assault the first informant but his wife came in between, got injured and died.*
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> *6. Considering these facts as well as applicant is behind bar for more than 10 months and there is no progress in trial, I pass following order:*

7. Mr. S. H. Yadav, learned APP for the Respondent - State, submits that the weapon used by the Applicant to assault the deceased is a sharp-edged weapon, i.e. a spearhead (भाल्याचे पाते). He submits that, irrespective of the injuries sustained by the deceased, those injuries led to the deceased's death. He further submits that the weapon used in the

assault bears blood stains and clothes have also been recovered. As such, according to Mr. S. H. Yadav, learned APP, the offence under Section 302 of the Indian Penal Code, 1860, is clearly made out.

8. Perused the records with the assistance of the learned Advocates for the parties.

9. The allegations in the FIR against the Applicant are that the Applicant used a sharp-edged weapon [Spearhead (भाल्याचे पाते)] during the assault on the deceased. A perusal of the postmortem memorandum (Page Nos. 50 to 57 of the Application paperbook) indicates that the injuries on the deceased's body are of CLW.

10. Prima facie, Mr. Satyavrat Joshi, learned Advocate for the Applicant, is justified in his submission that if a sharp-edged weapon was used to assault the deceased, the injuries would not be of the nature referred to in the postmortem examination of the deceased.

11. The Applicant has been in jail for almost 2 and a half years since his arrest on 15.02.2024.

12. Mr. Satyavrat Joshi, learned Advocate for the Applicant, states

that the Charge has not yet been framed in Sessions Case No. 127 of 2024. He therefore relies on the observations in paragraph 6 of the order dated 03.12.2025 regarding the period spent in jail by Accused No. 2.

13. The prosecution has enlisted 30 witnesses and therefore the conclusion of the trial, which has not commenced for almost 2 and a half years, will take considerable time.

14. In the circumstances stated hereinabove, the continuation of the Applicant in jail pending the trial of Sessions Case 127 of 2024 is not warranted. This Application is allowed on the following condition :-

(a) Applicant is directed to be released on Bail in connection with C.R. No. 46 of 2024, registered with the Murgud Police Station, upon furnishing a P.R. Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two sureties, in the like amount, to the satisfaction of the Additional Sessions Judge, Kolhapur, in Sessions Case No. 127 of 2024.

(b) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person

acquainted with the facts of the case to dissuade that person from disclosing the facts to the Court or any police officer. Applicant shall not tamper with evidence.

(c) Applicant shall, within three (3) days of his release from jail, provide to the Investigating Officer, Murgud Police Station, his residential address with proof, the contact numbers and must inform the Investigating Officer about the change in the same from time to time.

(d) Applicant shall report to the Investigating Officer, Murgud Police Station, on the 2nd Monday of each month, from 10:00 a.m. to 12:00 noon, until the conclusion of trial in Sessions Case No. 127 of 2024.

(e) Applicant shall regularly appear before the Trial Court, in Sessions Case No. 127 of 2024, as and when the matter is fixed, unless specifically exempted. If the Applicant fails to appear before the Trial Court, on the date fixed, it shall be treated as a breach of condition

and the Trial Court, shall be at liberty to pass appropriate orders.

(f) In the event of any default in complying with the conditions or misuse of the liberty granted to the Applicant, the prosecution shall be at liberty to seek cancellation of bail.

15. Bail Application No. 455 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE

Digitally signed by ARJUN KRISHNA RODGE
Date: 2026.10.07 11:18:25 +0530