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

CRIMINAL BAIL APPLN. NO. 700 OF 2026

Ajay Rajendra Kushwaha ... Applicant
V/s.
State Of Maharashtra And Anr. ... Respondents

Mr.P. R. Arjunwadkar a/w. Mr. P. U. Badadare, Advocate for the Applicant.

Mr. Shrikant H. Yadav, APP for the Respondents-State.

Mr. Patil, Head Constable Gokul Shirgaon Police Station present.

CORAM : NEERAJ P. DHOTE, J.

DATED : NOVEMBER 26th, 2026

P.C.:

1. This is an application for regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, in Crime No.60 of 2026 registered on 5th March, 2026 with MIDC Gokul Shirgaon Police Station for the offences punishable under Sections 103, 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

2. It is the prosecution's case that in the night of 4th March, 2026, when the informant Satyam Kumar Shri Rajaram Kumar was walking on the near the Star MIDC and reached near A Square Engineers, the

informant phoned his friends to come and drop him to the room. The watchman of A Square Engineers asked the informant the reason for which he had come there. Some verbal altercation took place between the informant and the watchman. In some time, the Applicant and Accused No. 1, who are the workers of the said company and were present near the company's gate, came there and Accused No. 1 pushed the informant, who fell on the compound wall. In some time, the friends of the deceased by name Umesh Kumar Bansaram Kumar and Umesh Kumar Barsati Kumar (the deceased) came on the spot. Verbal altercation took place between the friends of the informant and the watchman. The co-accused No. 1 gave a blow by the iron pipe on the head of the deceased and the Applicant assaulted the deceased with hands and legs. The informant and his other friend saw that, the deceased was injured and they took him to the hospital. The deceased succumbed to the injuries. The incident was reported to the police and the aforesaid crime came to be registered.

3. Heard the learned Counsel for the Applicant and the learned APP for the State. With their assistance, perused the papers on record.

4. The statement of the watchman recorded during the course of investigation does not attribute any role of assault by the Applicant to the deceased. The informant attributed the role of assault by hands and legs to the deceased. There is nothing to show that the attack was

premeditated by the Applicant. The cause of death is head injury. The investigation is complete and the charge-sheet is submitted. There are no antecedents against the Applicant. The learned Trial Court has rejected the bail application mainly on the ground of tampering and apprehension that the Applicant might not attend the trial since he is a permanent resident of Uttar Pradesh. The Applicant is ready to abide by any terms and conditions and submit the surety if granted bail. In these facts and circumstances of the case, the Applicant can be enlarged on bail by imposing appropriate conditions. Hence, the order:

ORDER

(i) The application is allowed.

(ii) The Applicant be released on bail in in Crime No.60 of 2026 registered on 5th March, 2026 with MIDC Gokul Shirgaon Police Station for the offences punishable under Sections 103, 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 on bail on furnishing a P.R. bond of Rs.30,000/- with one or two sureties in the like amount.

(iii) The Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, nor shall he tamper with the prosecution evidence.

(iv) The Applicant shall furnish his detailed permanent and temporary addresses, along with his contact number, to the jail authorities before

his release. The said details shall be forwarded to the concerned Police Station.

(v) The Applicant shall cooperate with the learned Trial Court for early conclusion of the trial.

(vi) The Applicant shall not leave the State of Maharashtra without the permission of the learned Trial Court.

5. The application is disposed of.

(NEERAJ P. DHOTE, J.)