

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4292 OF 2024**

Umar Amirkhan Mulla

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr. Priyal G. Sarda a/w Mr. Onkar Bajaj, advocate for the Applicant

Mr. Anand S. Shalgaonkar APP for the State

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 5th JANUARY 2026.

P.C.

1. By this application, applicant seeks bail in Crime No. 198 of 2023 registered with Karad Police Station, District Satara for offences punishable under Section 302 read with 34 of the Indian Penal Code.

2. It is prosecution's case that on 18th December 2023 at 11.21 hours, Ruturaj Dilip Deshmukh was admitted in the hospital. His brother lodged F.I.R. alleging that his brother was murdered by the applicants Vaibhav Kale, Umar Mulla and one Shubham Khedekar. The applicant came to be arrested on 19th December 2023. On completion of investigation, charge-sheet is filed on 6th March 2024 and case is numbered as Sessions Case No. 33 of 2024.

3. Heard learned advocate for the applicant, learned APP for the State and learned advocate for the informant. Perused the record.

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4. Investigation papers show that case is based on circumstantial evidence. The circumstances against the applicant are that the applicant was allegedly last seen alongwith deceased in one bar. The blood stained clothes are recovered from the applicant, however, those are of the applicant himself and their forensic report is still awaited. Prima facie, therefore, it appears that the chain of circumstances is not complete and there is scanty evidence against the applicant. The applicant is behind bars since last more than two years. The trial is not likely to commence and conclude in the near future. The applicant therefore, cannot be kept behind bars by way of punishment before the trial. The application therefore, deserves to be allowed.

ORDER

- I. The application is allowed.
- II. Applicant Umar Amirkhan Mulla be released on bail in connection with Crime No. 198 of 2023 registered with Karad Police Station, District Satara on furnishing personal bond of Rs. 15,000/- with one surety in the like amount.
- III. The applicant shall not enter into the jurisdiction of Karad police station till conclusion of trial.
- IV. The applicant shall not tamper the prosecution evidence and shall scrupulously attend the trial.

(NITIN B. SURYAWANSHI, J.)