

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

CRIMINAL APPEAL NO. 934 OF 2025

Sakharam Ananda Madane

...Appellant

VERSUS

The State of Maharashtra And Anr.

...Respondents

Mr. Priyal Sarda a/w Mr. Onkar Bajaj, Advocate for Appellant.

Mr. Ashutosh Purwant i/by Ms. Sania Patki, Advocate for Respondent No.2.

Mr. S. S. Chaudhari, APP for the Respondent No.1-State.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 28th JANUARY 2026

P.C.

1. This appeal is filed under Section 14A of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989, the appellant seeks bail in Crime No.149 of 2022 registered with Pusegaon Police Station, District: Satara for the offences punishable under Sections 302, 397, 394 read with Section 34 of the Indian Penal Code (IPC) and Sections 3(2)(v) of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act.

2. The prosecution case in short is that in the night between 08.07.2022 to 09.07.2022, unknown person has committed murder of Hanmant Bhau Nikam and Kamal Hanmant Nikam for unknown reason.

3. Pursuant to the registration of FIR, the appellant was arrested on 26.07.2022. Accused No.1 - Satish Shewale was arrested on the same day. On completion of investigation, charge-sheet is filed on 19.10.2022. The case is numbered as Special Case No.47 of 2022. On 07.01.2023, the charge is framed against the appellant and the co-accused. Till date, no prosecution witnesses are examined. The appellant therefore prays for bail on the ground of long incarceration and violation of his right to speedy trial.

4. Heard learned Advocate for Appellant, learned Advocate for Respondent No.2 and learned APP for the Respondent-State instructed by the Investigating Officer, who is present in the Court. perused the record.

5. This is the case of circumstantial evidence and *prima facie* it appears that except scanty evidence of last seen together, there is no other evidence against the applicant to connect with the present crime. The applicant has no criminal antecedents. The right to speedy trial is a fundamental right guaranteed under Article 21 of the Constitution of India is violated in the present case. The prosecution has cited 79 witnesses in the charge-sheet and in spite of lapse of about four years from the date of filing charge-sheet, not a single witness is examined so far. Therefore, the applicant is entitled to be released on bail on the ground of violation of his right to speedy trial.

6. In the result, the appeal is allowed.
7. The Appellant be released on bail in connection with Crime No.149 of 2022 registered with Pusegaon Police Station, District: Satara, on furnishing Personal Bond in the sum of Rs.15,000/- with one surety in the like amount.
8. The Appellant shall not enter into the jurisdiction of Visapur Police Station except for attending the trial.
9. The Appellant shall not tamper the prosecution evidence and shall scrupulously attend the trial.

(NITIN B. SURYAWANSHI, J.)