

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

CRIMINAL BAIL APPLICATION NO. 2205 OF 2025

Bhimrao Mullapa Vani

...Applicant

VERSUS

The State of Maharashtra

...Respondent

Mr. Satyavrat Joshi a/w Mr. Yash Fadtare, Mr. Sairaj Suryavanshi, Mr. Vaibhav Halke i/by Ms. Shivani Kondekar, Advocate for Applicant.

Ms. P.S. Rane, APP for the Respondent-State.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 22nd JANUARY 2026.

P.C.

1. By this application, the applicant seeks bail in Crime No.57 of 2021 registered with Sangli City Police Station, District : Sangli for the offences punishable under Sections 302, 120(B), 201 read with Section 34 of the Indian Penal Code (IPC) and Sections 4, 25 and 27 of the Indian Arms Act.

2. The prosecution case in short is that, on the night of 29.01.2021, the deceased was called to the terrace of one building. The deceased was accompanied by his acquaintance, the eye witness-Ruturaj. The statement of eye witness-Ruturaj is recorded on 30.01.2021 under Section 161 of the Code of Criminal Procedure. The statement of the other eye witness-Suraj is recorded on

31.01.2021 under Section 161 of the Cr.PC. The statements of the eye witnesses Ruturaj and Suraj were recorded on 11.02.2021 under Section 164 of the Cr.PC.. In Section 161 statement, the role of the assault on the deceased by a sharp edged weapon is attributed to the applicant and the co-accused. In Section 164 statement of the eye witness-Ruturaj has stated that co-accused – Shafiq Khalifa was assaulting the deceased with a koyta. He further mentions that he had informed the persons who were present that, the deceased was assaulted by some persons.

3. Earlier bail application of the applicant was rejected on merits by this Court vide order dated 14th March, 2024. The trial Court was directed to consider expediting the trial, if a request is made depending on its calendar.

4. The said order was challenged before the Apex Court by filing Special Leave to Appeal (Crl.) No. 14868 of 2024. The Apex Court vide order dated 27.11.2024, dismissed the said S.L.P. by observing that “it is open to the learned counsel for the Petitioner to renew the application at the appropriate time”. Pursuant to the said order, the applicant preferred bail application before the trial Court on 10.01.2025. The same is rejected by the trial Court on 19.04.2025.

5. Learned Advocate for the applicant submits that the applicant's right to speedy trial is violated and on that ground alone bail may be granted.

6. Learned APP on instructions from the Investigating Officer strenuously opposed the application submitting that there is voluminous evidence on record showing the involvement of applicant in committing murder of the deceased. Blood stained weapon is recovered at the instance of applicant. She submits that, till date, two witnesses are examined by the prosecution. Though 100 witnesses are cited in the charge-sheet, the prosecution intends to examine not more than 20 to 22 witnesses. She therefore submits that trial may be expedited and the application may be rejected.

7. The right to speedy trial is a fundamental right guaranteed by Article 21 of the Constitution of India. In the present case, charge-sheet is filed on 27.04.2021 and charge is framed on 17.03.2023 and though this Court directed the trial Court to consider expeditious disposal of the case, there is no substantive progress in the trial.

8. Report was called from the trial Court, which is submitted on 18.09.2025. It is stated in the report that delay in the trial was primarily due to non-availability of the muddemal, chemical analysis report, handwriting expert's report and series of bail applications as

well as repeated adjournment applications filed on behalf of the Advocate for applicant.

9. In the charge-sheet, 100 witnesses are cited by the prosecution. Till date, only two witnesses are examined. Even if the statement made by learned APP that, the prosecution intends to examine 20 to 22 witnesses is accepted for the sake of argument, still it is obvious that the trial is not likely to conclude in the near future. The applicant is arrested on 2nd February, 2021 and has completed almost five years imprisonment so far. There does not appear substantive progress in the trial. Thus, the right to speedy trial of the applicant is violated in the present matter. The applicant is therefore, entitled for bail solely on that ground. It is made clear that this Court has not considered the merits of the matter.

10. In the result, the application is allowed.

11. The applicant - Bhimrao Mullapa Vani be released on bail in connection with Crime No.57 of 2021 registered with Sangli City Police Station, District : Sangli, on furnishing Personal Bond in the sum of Rs.50,000/- with one surety in the like amount.

12. The applicant shall not enter into Sangli City except for attending the trial and giving attendance to the Police Station.

13. The applicant shall attend concerned police Station, twice in a month, on first and last Sunday of every month.

14. The applicant shall not tamper the prosecution evidence and shall scrupulously attend the trial.

(NITIN B. SURYAWANSHI, J.)