

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2388 OF 2025

Suraj @ Vishwajit Rajesh @ Savkar Mohite

...Applicant

Versus

The State Of Maharashtra

...Respondent

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Adv. Ramnik P. Pawar a/w Adv. Samadhan Mahamulkar, Adv. Parvej nadaf, Adv. Amit Waykool, Adv. Dinesh Sonalikar and Adv. Tabrez Mursal, for Applicant.

Mr. P. P. Deokar, APP for the Respondent-State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 5th MARCH, 2026.

P.C:

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 03.11.2024 bearing Crime No. 485 of 2024 registered with Tasgaon Police Station, Sangli, for the offences punishable under Sections 103(1), 109, 115(2), 352, 351, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The case of prosecution is that, the applicant along with other accused conjointly committed murder of deceased Deepak. Initially, all accused including applicant assaulted to deceased Deepak and witness Akash. The quarrel was pacified and when deceased Deepak and his

brother Akash were proceeding towards Police Station to lodge complaint, at that time applicant and co-accused intercepted them and again assaulted. Accused Vishwajit assaulted deceased Deepak by sickle and threatened that they will eliminate them. Thereafter, deceased was taken at Rural Hospital, Tasgaon and further at Civil Hospital, Miraj, where deceased Deepak succumbed to the injuries.

3. The learned counsel for the applicant submits that it is a case of over-implication, particularly when there are cross complaints. The investigation is complete for all the intent and purpose. The material inconsistency in relation the prosecution witness of use of weapon.

4. Apart from above, considering the age of the applicant, as such the applicant is entitled to be admitted to bail.

5. Per contra, learned APP for the respondent-State, on instructions of the Investigation Officer, who is present in the Court has submitted that the involvement of the applicant is apparent. There is long-standing animosity between the informant and the applicant's family, and therefore the incident was a premeditated act. The learned APP further submits that after the initial assaults were inflicted even while deceased being taken to the hospital in a vehicle was intercepted by the accused persons, as such the gravity of the offence can be gathered. It is also submitted that the cross complaints establish the presence of the applicant at the spot, indicating his involvement in the incident. Hence,

prayed for rejection of the application.

6. Upon, considering the rival submission and perusal of the material on record, Prima facie, it appears to be a case of over implication, since the material inconsistency in relation to use of weapon is apparent.

7. Nonetheless, considering the tender age of the applicant and the reformatory aspects involved, the impact of prolonged incarceration of such individual would be disproportionate and there are no criminal antecedents against the applicant.

8. Apart from the above said aspects, the number of witnesses cited by the prosecution, it is very unlikely that trial would commence and conclude, therefore, further incarceration of the applicant would be unjustified and unwarranted.

9. The apprehension expressed by learned APP about pressurizing the prosecution witnesses can be adequately taken care by imposing stringent conditions. In that view of the matter, the applicant warrants consideration for bail. Therefore, the applicant deserves to be released on bail. The application is allowed on certain conditions.

10. Hence, the following order :-

ORDER

(I) Application is **allowed**.

(II) Applicant – Suraj @ Vishwajit Rajesh @ Savkar Mohite be released on regular bail on furnishing

P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 485 of 2024 registered with Tasgaon Police Station, Sangli, for the offences punishable under Sections 103(1), 109, 115(2), 352, 351, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed address and phone number of applicant and two of the near relatives.
- (d) In case of breach of any of the condition, it will be open for the prosecution to approach to the concerned Court seeking cancellation of bail notwithstanding the fact that this Court has granted bail to the present applicant.

11. Needless to state that the observations rendered herein are to the extent of this decision of application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]