

3. After passing of the said order, the charge was framed on 25th February 2025. Learned APP on instructions of the Investigating Officer who is present in the Court states that not a single witness has been examined in the trial Court. Thus, there is clear violation of right of speedy trial guaranteed to the applicant under Article 21 of the Constitution of India. It is made clear that the applicant is not entitled for grant of bail on merits. However, as there is violation of the fundamental right of the applicant of the speedy trial, the applicant is entitled to be released on bail on that ground alone.

4. In the result, the application is allowed. The applicant Dhananjay @ Banda Kashinath Sapate be released on bail in connection with Crime No.243 of 2020 registered with Kagal Police Station, District: Kolhapur for offences punishable under Sections 302, read with 34 of the Indian Penal Code and under Sections 4, 7, 25(1-8)(b), 27(3) of Indian Arms Act, on furnishing P.R. Bond in the sum of Rs. 15,000/- with one surety in the like amount.

5. The applicant shall not tamper with the prosecution evidence. The applicant shall not enter jurisdiction of Kagal Police Station, District Kolhapur.

(NITIN B. SURYAWANSHI, J.)