

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3562 OF 2025**

Satyajeet Bhagoji Fale

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Satyavrat Joshi for a/w Mr. Vikas Khade a/w Mr. Vaibhav Halke
a/w Mr. Yash Fadtare a/w Mr. Sairaj Suryawanshi i/b Mr. Sunil
Kamble, Advocate for the applicant

Mr. S. S. Chaudhary, APP for the respondent-State

Mr. A. B. Godivadd, HC, SDP Office, City Division, Kolhapur

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 22nd JANUARY 2026.

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. 362 of 2023 registered with Juna Rajwada Police Station, Kolhapur, District Kolhapur for offences punishable under Sections 307, 143, 147, 148, 149, 504, 506 and 120-B of the Indian Penal Code and under Sections 5 and 27 of the Arms Act, under Section 142 of The Maharashtra Police Act and under Sections 3(1)(ii), 3(2) and 3(4) of The Maharashtra Control of Organised Crime Act, 1999.

2. Prosecution case in short is that, the informant is a vegetable seller. He used to sell vegetables through his four wheeler and his friend namely Prakash Bodake used to help him in the said business. One year back quarrel had taken place between Prakash

Bodake group and Santosh Bodake group. On 31/05/2023, at about 01:30 p.m. informant and Prakash Bodake went to Shivaji Peth for repairing his mobile phone. At that time, at about 02:00 p.m., accused Yuvraj Shelake, Krushnat Bodekar, Kedar Ghurake came on a bike. Yuvraj Shelake was driving the bike and Kedar and Krushnat were sitting behind him holding sword in their hands. They came towards Prakash and started quarreling with him. Thereafter, they started assaulting Prakash with swords. At that time, Karan Shelake, Rahul Hegade, Raju Bodake, Vikas alias Chikya Bhiungade came on bikes. Three unknown persons also came on a bike on the spot. Rahul Hegade assaulted Prakash with sword, which Prakash evaded. Yuvraj Shelake assaulted informant with sword, which informant also evaded. The three unknown persons assaulted informant with fists and kick blows. Then, Prakash Bodake ran away from the spot. Kedar, Krushnat, Raju Bodake, Rahul Hegade ran behind him holding sword in their hands. Yuvraj Shelake, Vikas alias Chikya Bhiungade and Kiran Shelake chased him on bike. While informant was also running away, he saw Prakash entering in a building. All the accused followed him in that building. After some time all the accused came from that building and were enjoying by saying that they had killed Prakash. When informant went there, he saw Prakash lying in pool of blood with sword wounds on his head, hands, back and legs. People in the

vicinity gathered there. Informant called his friend Nitin Varekar, who came on the spot along with Rinku Desai and Raju Jadhav. They shifted Prakash to C. P. R. Hospital and informant approached to the Rajwada police station. Thereafter, the informant was also shifted to C.P.R. Hospital. Pursuant to registration of crime, the applicant was arrested on 11/06/2023.

3. Learned advocate for the applicant submits that the role attributed to the applicant is assault by fist and kick blows. The applicant is not named in the F.I.R, however, it is stated that unknown person assaulted with fist and kick blows. He submits that test identification parade of the applicant is held after delay of four months and the applicant is identified by the alleged eye witness Omkar Parab. However, he has also attributed the role of assault by the applicant with fist and kick blows. He submits that the applicant has completed two and half years in the custody and the trial is not likely to conclude in the near future. According to him, though there is one antecedent of the applicant, same appears to have been registered when the applicant was a juvenile.

4. Learned APP instructed by the officer from the concerned police station who is present in the Court strenuously opposed the application contending that eye witnesses have named the applicant in the present crime. Some of the eye witnesses stated that the

applicant was also carrying sword, therefore, there is sufficient material on record showing the involvement of the applicant in the serious crime of attempt to commit murder and injuring the informant. He, therefore, submits that the applicant may not be granted bail and the application deserves to be rejected.

5. Perusal of the charge-sheet shows that most of the witnesses attributed the role of assault by the applicant with fist and kick blows. It is matter of record that test identification parade of the applicant is held after four months of his arrest on 21/10/2023. Eye witness Omkar, who has identified the applicant has attributed the role on the part of the applicant with fist and kick blows. By this time, the applicant has completed two and half years of incarceration. Till date, charge is not yet framed. Prosecution has cited 127 witnesses. Obviously, trial is not likely to conclude in the near future. Further custodial detention of the applicant in the facts of the present case is therefore, not necessary.

6. In the result, the application is allowed.

7. The applicant Satyajeet Bhagoji Fale be released on bail in connection with C.R. No. 362 of 2023 registered with Juna Rajwada Police Station, Kolhapur, District Kolhapur on executing PR. Bond in the sum of Rs. 25,000/- with one surety in the like amount.

8. Applicant shall not enter into Kolhapur district except for attending the trial and for attending the concerned police station.
9. Applicant shall attend the concerned police station on first and last Sunday of each month till conclusion of trial.
10. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)