

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

CRIMINAL BAIL APPLICATION NO. 3632 OF 2025

Arjun Laxman Motakatte

VERSUS

State of Maharashtra

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Mr. Ramanik Pawar a/w Mr. Abhishek Shah, Mr. Samadhan Mahamulkar, Mr. Amit Waykool, Mr. Ruturaj Patil i/by Mr. Dinesh Sonarlikar, Advocate for Applicant.

Dr. A.A. Takalkar, APP for the Respondent – State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 15th APRIL, 2026.

P.C. :

1. The applicant seeks regular bail in connection with C.R. No. 29 of 2024 dated 27.02.2024 registered with Bhilwadi Police Station, District Sangli for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506, 143, 147, 149 *Indian Penal Code* and Sections 37(1)(a), 135 of the Maharashtra Police Act.
2. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the case. There are no independent witnesses. The co-accused are released on bail. The applicant is only age 23 years and is in custody since his arrest on 27.02.2024 i.e. for more than two years and two months. Given that the investigation is complete, charge-sheet is filed, further incarceration

of the applicant is not required. Hence, prayed to allow the application.

3. Per contra, learned APP opposed the application submitting that the offence is serious in nature. The applicant has committed an aggravated assault on the head of the deceased resulting into his death. Further, the present application is successive bail application and given the overwhelming material against the applicant, prayed to reject the application.

4. Having heard the submissions from both the sides and upon perusal of the record including charge-sheet indicates that the earlier bail application of the applicant was withdrawn with liberty to file fresh application after six months. Accordingly this application is preferred.

5. Further perusal of the record indicates that pursuant to the order dated 24.03.2026 of this Court, the trial Court has submitted a progress report, wherein it is stated that the charge was framed on 24.07.2025 and the plea of the accused came to be recorded. Meanwhile, accused No.9 - Abhijeet, accused No.1 - Nilesh, accused No.6-Pandit and accused No.7- Vaibhav have complied with the bail order of this Court. As such, the trial is at the initial stages.

6. The applicant is aged 22 years and is in custody for more than two years and two months. The allegations prima facie indicate the absence of motive or intent on the part of the applicant so as to constitute an offence under Section 302 of IPC.

7. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the charge-sheet is filed. Having regard to the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be concluded within a reasonable period. In this view of the matter, further incarceration of the applicant would be unjustified. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Hence, the order :-

ORDER

I. The bail application is allowed.

II. Applicant - Arjun Laxman Motakatte be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 29 of 2024 dated 27.02.2024 registered with Bhilwadi Police Station, District Sangli for the offences punishable under Sections 302, 307,

326, 324, 323, 504, 506, 143, 147, 149 *Indian Penal Code* and Sections 37(1)(a), 135 of the Maharashtra Police Act., on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.

(d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to approach the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.

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

[SACHIN S. DESHMUKH, J.]