

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

CRIMINAL BAIL APPLICATION NO. 25 OF 2026

Fefan Alias Rajkumar Murari Das

VERSUS

The State of Maharashtra

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Mr. Amit Icham, Advocate for Applicant.

Mr. Nitin. B. Patil, APP for the Respondent-State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 23rd MARCH, 2026.

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 160 of 2024 dated 20.02.2024 registered with Satara City Police Station, District Satara for the offences punishable under Sections 307 and 326 of the *Indian Penal Code*.
2. The prosecution case is that the informant had been residing with the applicant in a rented premises for about one month prior to the incident. On 19.02.2024 at about 8.00 p.m., the informant prepared food and was waiting for the applicant to return and join. At about 8.30 p.m., the applicant reached and inquired about the prepared food for the meal. The informant informed him that the

vegetable had been slightly burnt. Noticing the burnt vegetable, the applicant became enraged. In a fit of anger, picked up a knife and inflicted two blows on the right and left hands of the informant as well as on the throat and neck of the informant. On hearing the shouts raised by the informant, the neighbours rushed to the spot, whereupon the applicant fled from the scene. Hence, the report.

3. Learned Counsel for the applicant submits that the incident occurred at the spur of the moment and there was no premeditation. The applicant has been in custody for more than two years and there is no progress in the trial. The investigation is complete and the charge-sheet has been filed. The trial is unlikely to conclude within a reasonable period. As such, further incarceration of the applicant is unjustified. Hence, prayed to allow the application.

4. Per contra, learned APP opposed the application, submitting that the offence is serious in nature. Considering the nature of the injuries and the fact that the applicant is a resident of other State, there is a likelihood that may not be available for the purpose of trial. As such, may not be admitted to bail. Hence, prayed to reject the application.

5. Having heard the submissions from both sides and upon perusal of the record, including the charge-sheet indicates that initially the FIR for the alleged offence was registered under Section 326 of the IPC. Subsequently, the charge under Section 307 of the IPC came to be added.

6. Further perusal of the record indicate that the alleged altercation took place between the informant and the applicant on account of a trivial issue, resulting into the alleged assault. Prima facie it appears that the incident occurred at the spur of the moment. There appears no premeditation. The injured has been discharged from the hospital.

7. Considering that the applicant is young man aged 23 years, having no criminal antecedents coupled with the fact that applicant has already undergone imprisonment for a period of two years and given the number of witnesses, which the prosecution seeks to examine, the trial is likely to take a considerable period. Therefore, further detention of the applicant may amount to pre-trial detention, which is neither warranted nor justified.

8. In view of the aforesaid observations, I am inclined to exercise discretion in favour of the application. As far as the apprehension

expressed by the learned A.P.P. is concerned, the same can be adequately taken care of by imposing stringent conditions.

9. Hence, the order :-

ORDER

I. The bail application is allowed.

II. Applicant - Fefan Alias Rajkumar Murari Das 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. 160 of 2024 dated 20.02.2024 registered with Satara City Police Station, District Satara for the offences punishable under Sections 307 and 326 of the *Indian Penal Code*, 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 not leave jurisdiction of concerned police station unless exempted by the trial Court.

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

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

(e) 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.]