

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.38 OF 2026**

Sourabh Sandeep Sawant	Applicant
Vs.	
The State Of Maharashtra	Respondent

Mr. Pallavi Kante, for the Applicant.
Dr. Ashvini A. Talkute, APP, for the Respondent-State.
Mr. Kamble, Police Constable, Kupwad Police Station.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 24th FEBRUARY 2026

PC.:-

1. The Applicant has been arrested in C.R. No. 38 of 2025 registered with MIDC Kupwad Police Station for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of prosecution that the Applicant along with his father has committed murder of his cousin who was staying in their house since childhood. It is alleged that the deceased was a liquor addict and used to misbehave with the sister of this Applicant. They were staying in the same house and deceased used to come home under the influence of liquor and used to quarrel with family

members and also tried to sexually abuse the minor daughter of Accused Nos.1 and sister of Accused No.2. On the date of the incident, the deceased quarrelled with the mother of the Applicant and also attempted to misbehave with his sister. He abused the Applicant's mother in filthy language and attempted to assault the Applicant. During this period, owing to the misbehaviour towards the Applicant's sister and due to grave and sudden provocation, the Applicant assaulted the deceased with an iron rod and thereafter struck his head with a stone. Subsequently, the police arrived at the spot and shifted the injured to the hospital, where he was declared dead. Thereafter, on the statement made by the mother of the Applicant, the crime came to be registered.

3. The learned counsel appearing for the Applicant submits that the deceased used to misbehave with the sister of the Applicant. The incident occurred due to sudden and grave provocation, as the deceased was under the influence of liquor and had also assaulted the Applicant, as a result of which the Applicant sustained injuries on his face.

4. Considering the aspect of sudden provocation, it is prayed that

the Applicant be released on bail, as he has been in custody for the last 11 months.

5. The learned APP opposes the Application, submitting that the eye-witnesses have categorically stated about the incident. It is further submitted that the neighbours were also eye-witnesses, as there was a huge hue and cry, pursuant to which several persons gathered at the spot and have stated about the role of the Applicant. It is contended that, as the Applicant has committed the murder, the Application deserves to be rejected.

6. Heard the learned counsel for the Applicant and the learned APP for the State.

7. It appears that the deceased, who had been residing in the same house since childhood, was a nuisance to the family as he was addicted to liquor and used to misbehave with the sister of the Applicant. Due to grave and sudden provocation, the incident in question took place.

8. Considering the period of incarceration undergone by the Applicant and the fact that the charge-sheet has already been filed,

further custodial detention of the Applicant is not required.

Accordingly, a case is made out for releasing the Applicant on bail.

Hence, I pass the following order:

ORDER

- i) The applicant, namely, **Sourabh Sandeep Sawant** shall furnish personal bond of Rs.25,000/- with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the Investigating Officer;
- ii) The applicant shall remain present before the Police Station concerned on every Thursday between 11.00 a.m. to 01.00 p.m.;
- iii) The applicant shall cooperate with the investigation and make himself available for interrogation whenever required;
- iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;
- v) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the

evidence collected or yet to be collected by the police;

vi) The applicant shall maintain law and order;

vii) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the Investigating Officer, and the Court concerned, and shall not change the residence till the final disposal of the case;

viii) The applicant shall surrender his passport, if any, before the Investigating Officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the Investigating Officer;

ix) The applicant shall regularly remain present during the trial, and cooperate with the Hon'ble Court to complete the trial for the above offences.

x) The Applicant shall not enter the area where the first informant resides.

(MRS. VRUSHALI V. JOSHI, J.)