

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

CRIMINAL BAIL APPLICATION NO. 201 OF 2026

AVDHUT HANMANT MADNE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Satyavrat Joshi (through V.C.),
Mr. Yash Fadtare, Mr. Sairaj Suryavanshi

Advocate for Respondents : Mr. Nitin B. Patil

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 22-04-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.448 of 2022 registered with Karad Police Station, District Kolhapur, for the offences punishable under Section 302 of the Indian Penal Code. In the said crime, the applicant arrested on 10.09.2022. Upon completion of the investigation, the chargesheet is filed on 17.11.2022.

2. Learned counsel for the applicant submits that the applicant is falsely implicated in the crime. The offence under Section 302 of the Indian Penal Code is not made out against the applicant. There are material discrepancies in the statement of the witnesses. The investigation is complete and the chargesheet is filed and the applicant is in custody since his arrest. The trial is likely to take a

considerable period. As such, further detention of the applicant is not required.

3. The learned A.P.P. has submitted that this is subsequent bail application. Although this Court previously considered the application of the applicant vide order in Bail Application No.2959 of 2025 dated 25.09.2025, now no new change in circumstances has been demonstrated beyond a delay in the trial.

4. Having heard the submissions from both the sides and perusal of the record, particularly, order dated 25.09.2025 indicates that the earlier bail application presented by the applicant has been withdrawn with liberty to file fresh application. The present application is primarily based on the ground of delay in trial.

5. Pursuant to the order of this Court dated 26.03.2026, the progress report has been submitted by the trial Court which indicates that the delay in trial is caused due to certain administrative lapses as well as the inaction on the part of the accused to commence the trial.

6. Further, perusal of the record, *prima facie*, indicates that the applicant has acted in a predominant role in the crime. The statement of the informant is further corroborated by the

statement of other witnesses, thereby prima facie establishing that the applicant's actions directly resulted in the death of the deceased. The same is further corroborated by the postmortem report.

7. Apart from the delay in trial, no other substantial grounds are raised by the applicant. The Honourable Apex Court, in the case of ***State of Bihar Vs. Amit Kumar [(2017) 13 SCC 751]***, has held that delay, especially in cases involving serious offences, cannot by itself be a ground for bail.

8. Given the role and the severity of the offence and further considering the potential for punishment, the possibility of tampering with the prosecution witnesses or evading the trial, cannot be ruled out. As such, I am not persuaded to exercise discretion in favour of the applicant.

9. Hence, the criminal bail application stands rejected.

[SACHIN S. DESHMUKH]
JUDGE

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