

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

CRIMINAL BAIL APPLN. NO. 218 OF 2026

Shivshankar Satyanarayan Gajula

VERSUS

State Of Maharashtra And Anr

Mr. Kunal Patil, Ms. Rajnandini Katkar, Mr. Asif Mulla Advocate for
Petitioner

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

CORAM : SACHIN S. DESHMUKH, J.

DATE : 22nd APRIL, 2026.

P. C. :

1. By this Application, Applicant is seeking regular bail in C.R. No. 25/2024 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 302, 201, 109 read with 34 of the Indian Penal Code, 1860.

2. Learned counsel for the Applicant submits that the Applicant is falsely implicated in the case. Investigation is complete and charge-sheet is filed. There is no material on record to indicate complicity of the Applicant in a case which is premised on circumstantial evidence. In view of completion of investigation, Applicant deserves to be admitted to the bail.

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3. *Per contra*, learned APP vehemently opposed the application submitting that complicity of the Applicant is evident. He is involved in a serious offence which is evident from the material collected by the prosecution during the course of investigation which dis-entitles the Applicant to be admitted to the bail.
4. Upon considering the submissions of learned counsel for the applicant, learned APP and perusal of material on record, *prima facie*, in absence of incriminating material against the present applicant, much less a seamless one, I am persuaded to exercise the discretion in favour of the Applicant.
5. Nonetheless, investigation is complete for all intent and purpose, charge-sheet is filed. Since the co-accused Amir Sharif Khan Mohammad is admitted to the bail by this Court in Criminal Bail Application No. 3327 of 2025, entitles the Applicant to be admitted to the bail.
6. Apart from above, considering the number of witnesses the prosecution proposes to examine, there is every likelihood that the trial will take considerable time.
7. So far as the apprehension of learned APP that the Applicant

may not be available for the purpose of trial since Applicant is the resident of other State, can be taken care of by directing the Applicant not to leave jurisdiction of Hatkanangale Police Station, District Kolhapur till conclusion of trial.

8. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Shivshankar Satyanarayan Gajula be released on bail, on furnishing PR. 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. 25/2024 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 302, 201, 109 read with 34 of the Indian Penal Code, 1860, on the following conditions :-

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

(b) Applicant shall not to leave jurisdiction of Hatkanangale Police Station, District: Kolhapur till conclusion of trial.

(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 move the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

9. 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.]