

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

CRIMINAL BAIL APPLN. NO. 237 OF 2026

Suresh Narayan Tate
VERSUS
State Of Maharashtra And Anr

Mr. Ramanik Pawar a/w Mr. Samadhan Mahamulkar i/b Mr. Amit
Waykool, advocate for the Applicant
Mr. P. P. Deokar APP for the State.

CORAM : SACHIN S. DESHMUKH, J.
DATE : 4th MAY 2026.

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 149/2024 dated 16/08/2024 registered with Kasegaon Police Station, District Sangli for offences punishable under Sections 103(1) of the Bhartiya Nyaya Sanhita, 2023 and under Sections 3, 25 and 27 of The Arms Act, 1959.

2. Learned counsel for the applicant submits that the applicant is falsely implicated in the crime. The case against the applicant is entirely based on circumstantial evidence. The confessional statement by the wife cannot be relied upon against the applicant. There is nothing recovered at the instance of the applicant.

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Investigation is complete and charge-sheet has been filed. The co-accused are released on bail. Hence, prayed to allow the Application.

3. Learned APP has opposed the application submitting that the offence is serious in nature and there is a possibility of the applicant tampering the prosecution witnesses.

4. Having heard the submissions and upon perusal of the record indicates that the applicant is in custody since his arrest on 17/08/2024 i.e. for almost two years. Furthermore, the co-accused are released on bail by the Trial Court as well as co-accused Vishal Bhosale is released on bail vide order dated 24/03/2026 by this Court in Cri. Bail Application No. 230/2026.

5. Although the offence under Section 302 of the Indian Penal Code is of a grave nature, the prosecution case appears to be based on circumstantial evidence and *prima facie* same appears to be lacking seamless chain of events. In any case, that must be tested during the course of the trial. Since the trial is unlikely to conclude in the near future and the applicant has already been in custody for several months, further detention would amount to pre-trial punishment.

6. Having regard to the number of witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

7. Moreover, the alleged weapon and other articles connected with the crime have already been recovered by the Investigating agency. The investigation is complete for all intent and purpose and the charge-sheet is filed. Nothing remains to be recovered at the instance of applicant.

ORDER

- I. The bail application is allowed.
- II. Applicant, Suresh Narayan Tate 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. 149/2024 dated 16/08/2024 registered with Kasegaon Police Station, District Sangli for offences punishable under Sections 103(1) of the Bhartiya Nyaya Sanhita, 2023 and under Sections 3, 25 and 27 of The Arms Act, 1959, 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 move the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

8. 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.]