

MHKO010045872025

Sess.Case No.250/2025

Order below Exh.2



By way of this successive bail application accused Shubham Ajit Haladkar is seeking relief of regular bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita. He is chargesheeted for the offence punishable under section 109 of the Bharatiya Nyay Sanhita (corresponding to section of the I.P.C.). He has sought bail on the grounds mentioned in the application. The previous bail application of him was disposed off as it was not pressed on his behalf.

02. The application is opposed by the prosecution by submitting say. According to the prosecution, the accused is habitual offender. Wife of the accused and informant's brother Yesu Shaikh were having love relationship before marriage. On this cause there was quarrel. Previously the accused beat Yesu Shaikh. When the informant went to ask the accused, he gave a big knife blow and attempted to kill him. The accused is having revengeful attitude and if he is released on bail there is possibility of commission of another crime. There are eye witnesses to the incident. If the accused is released on bail he may pressurize the witnesses, directly or indirectly.

03. Perused the application, supporting affidavit submitted by wife of the accused, showing case details, custody and procedural compliance, status of the trial, criminal antecedents, previous bail

applications and coercive processes as per directions in **Zeba Khan Vs. State of U.P. and others Criminal Appeal No.825 of 2026, arising out of SLP (Crl.) No. 12669 of 2025, decided by the Hon'ble Apex Court on 11-02-2026.**

04. Heard both the sides. Heard learned advocate for the informant. Perused the record.

05. It is submitted on behalf of the accused that the accused has been falsely implicated in the crime. It is further submitted that though there are previous cases against the accused but he has not been convicted in any crime. Reliance is placed on **Shri.Shyam Ramnath Kamulkar Vs. State (2006(2) Crimes 498) and Mahipati Babu Bandgar Vs. State of Maharashtra ((2002) ALL MR (Cri.) 565)** and submitted that while considering the prayer for bail the Court has to consider the strength of material which the Investigation Agency has collected for going to the trial against the accused.

06. The learned A.P.P. submitted that the accused has tainted past. There is enough material to prima facie connect him with the crime. He is not entitled to get bail.

07. It is case of the prosecution against the accused that on 27-08-2025 Asu Badshaha Shaikh, the informant, had been to see Daulatnagar Ganpati welcome ceremony with friends. At 11-40 p.m. accused met him and on the cause of love affair between his wife and informant's brother Yesu and gave blow of knife on the left side of his rib as well as hand.

08. During the course of investigation the knife is discovered at the instance of the accused. The injury certificate dated 29-08-2025 shows that the informant sustained stab injury over his left mid

axillary line near 5th rib. The weapon used for such injury is described as sharp and hard. The nature of injury is grievous. Thus, the injury certificate supports the version of the informant. There is sufficient material to connect the accused with the crime.

09. The affidavit submitted by wife of the accused shows that previously 9 criminal cases are pending against the accused. The status of these cases show that in most of the cases non-bailable warrants are pending against him. This conduct of the accused shows that he breaches the terms and conditions of the bail and does not cooperate for speedy trial against him. The previously registered offences are of murder, attempt to murder, causing grievous hurt and extortion. If the accused is released on bail, looking to his previous conduct in other criminal cases, there is every possibility of him to remain absent for the trial and tamper with the evidence. Thus, no case is made out by the accused to get relief of regular bail. In the result, following order is passed

Order

Application stands rejected.

(D.V.Kashyap)

Date: 03/06/2026

Special (Atrocity) Judge, Kolhapur.