

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1041 OF 2022**

Sachin @ Raghu Baburao Kolekar ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Ashok Mundargi, Senior Advocate a/w Mr. Umesh Mankapure a/w
Ms Rui Danawala for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 1 MARCH 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 553 of 2020 registered at Islampur Police Station, Sangli for the offences punishable under Sections 302, 143 147, 148, 323, 504, 506, 120-B, 188, 269, 270, 290, 291 read with 149 of Indian Penal Code, Section 51(kh) of Disaster Management Act, Rule 11 of Covid-19 Rules, Section 142 of Maharashtra Police Act and Sections 3(1)(i),(ii), 3(2), 3(3), 3(4), 3(5) of Maharashtra Control of Organized Crime Act.

3. I have heard the learned senior counsel for the applicant and the learned APP for the respondent-State.

4. According to the prosecution, the co-accused Ajit Patil was running organised crime syndicate. It is alleged that the co-accused Ajit Patil was asking the deceased to work for his gang, however, as he was refusing to work for his gang, dispute took place between them on 28 June 2020. It is alleged that thus conspiracy was hatched to kill the deceased and pursuant to the said conspiracy on 29 June 2021, the present applicant and other co-accused committed the murder of the deceased by assaulting him by sharp weapons.

5. The allegations against the applicant are of conspiracy. However, *prima facie*, there appears to be no material to that effect.

6. The learned APP submits that the applicant is involved in 8 more crimes. However, considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) The Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 553 of 2020 registered at Islampur Police Station, Sangli for the offences punishable under Sections 302, 143 147, 148, 323, 504, 506, 120-B, 188, 269, 270, 290, 291 read with 149 of Indian Penal Code, Section 51(kh) of Disaster Management Act, Rule 11 of Covid-19 Rules, Section 142 of Maharashtra Police Act and Sections 3(1)(i),(ii), 3(2), 3(3), 3(4), 3(5) of Maharashtra Control of Organized Crime Act on furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- (iii) The applicant shall not enter into the limits of Walva Taluka Dist. Sangli till conclusion of the trial.
- (iv) The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after his release once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)