

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

CRIMINAL BAIL APPLICATION NO. 2965 OF 2022

Aditya alias Gabbya Amar Suryavanshi ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. R.S. Sonar for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 638 of 2021 registered at Shahupuri Police Station, Kolhapur for the offences punishable under Sections 395, 397, 120-B, 323, 324, 427, 504, 506 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act and Sections 3(1) (2), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the present applicant and other co-accused are members of organized crime syndicate formed by co-accused Rutvik Suryavanshi. It is alleged that on 21 October 2021 the present applicant and the other co-accused assaulted the complainant and

his family members as the complainant was preventing his son to join their gang.

5. According to the prosecution, at the time of alleged incident, the applicant and co-accused were armed with swords and sticks and they assaulted the complainant with sticks. However, nature of injuries sustained by him in the alleged incident appears to be simple. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Aditya alias Gabbya Amar Suryavanshi be released on bail in Crime No. 638 of 2021 registered at Shahupuri Police Station, Kolhapur for the offences punishable under Sections 395, 397, 120-B, 323, 324, 427, 504, 506 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act and Sections 3(1)(2), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 on furnishing P.R. 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 Kolhapur District except to attend dates before the trial Courts.
- (iv) The applicant shall furnish residential address where he is going to reside after his release and mobile number to the concerned police station.
- (v) The prosecution is at liberty to file application for cancellation of bail, if the applicant commits any other crime.

(N.R. BORKAR, J.)