

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1969 OF 2024

Nikhil Chandrakant Mane and Anr. ... Applicants
V/s.

State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.3331 OF 2024

Raju Laxman Bandgar ... Applicant
V/s.

State of Maharashtra and Ors. ... Respondents

Mr. Abhaykumar Apte, for the applicants.

Ms. Meghna Gowalani, for the applicant in IA.

Mr. Shreeram Chaudhari, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 2ND SEPTEMBER, 2024.

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicants are seeking bail in Crime No.539 of 2021, registered with Shivaji Nagar Police Station, Kolhapur for the offences punishable under Sections 302, 143, 147, 148, 149, 504, 120(b), 216 and 506 of the Indian Penal Code, Sections 7 and 27 of

This order is corrected as per speaking to the minutes of the order dated 09.10.2024

the Police Arms Act and Sections 3(1) (i), 3(1) (ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999, (for short, " MCOC Act ").

3. Having gone through the charge-sheet and the material collected by the IO during the investigation, it is evident that there is sufficient incriminating material against the applicants as there are 4 eyewitnesses and furthermore the applicants were identified by the eye-witnesses. The offence is very serious. Hence, I am not inclined to grant bail. Even though the submission of the learned counsel for the applicants is considered that the provisions of MCOC have been wrongly invoked against the applicants, the offence is under Section 302 of the IPC, which is the serious one.

4. In the circumstances, considering the sufficient incriminating material against the applicants, I am not inclined to grant bail. Accordingly, it is rejected.

5. The trial Court is directed to expedite the trial.

(ANIL S. KILOR, J)