

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1118 OF 2025**

Alpak Rajkumar Kamble

...Applicant

Versus

State Of Maharashtra

...Respondent

Ms. Pallavi S. Kante, Advocate for the Applicant

Mr. S. S. Chaudhari APP for the State

API Kavita Naik, Vishrambag Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th OCTOBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. 443/2023 registered with Vishrambag Police Station, District Sangli for offences punishable under Sections 302, 120(B), 201, 385, 143, 144, 147, 148, 149, 212, 504, 506 of the Indian Penal Code and under Sections, 3,4, 25 and 27 of the Indian Arms Act and under Sections, 3(1)(i), 3(1)(ii), 3(2), 3(4), 4 of The Maharashtra Control of Organised Crime Act, 1999.

2. It is the prosecution's case that on 17th June 2023 at 8.00 p.m. when the complainant was sitting with deceased Nalsab Mulla, at that time, four unknown persons came there and fired at deceased

and they assaulted on his body with sword. Due to said assault, deceased died on the spot.

3. It is the contention of learned counsel for applicant that applicant is behind bar for more than two years. There is no progress in trial. The co-accused Munir Mulla has been released on bail by this Court (Coram: N. R. Borkar, J.) vide order dated 20th March 2025. The role assigned to co-accused Munir Mulla and present applicant are same. Hence, the applicant is entitled for bail on principle of parity.

4. It is the contention of learned APP that the applicant had gone to Madhya Pradesh with co-accused Rohit Dhende and purchased gun which is used in the present crime. The applicant was in constant touch with co-accused which shows his involvement in the crime. The applicant has antecedents. The role assigned to the co-accused Munir Mulla is different than the present applicant. If applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. The allegations against the applicant are of providing gun used in the crime and conspiracy. To prove the

conspiracy, trial is required. The co-accused against whom same allegations are levelled like the applicant, has been released on bail. Considering these facts, applicant is entitled for bail on principle of parity.

ORDER

- I. The Application is allowed.
 - II. The Applicant be enlarged on bail in C.R. No. 443/2023 registered with Vishrambag Police Station, District Sangli on executing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
 - III. The Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.
 - IV. The Applicant shall attend the Trial Court dates, regularly.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by

the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)