

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1851 OF 2025

HARISH
VITHAL
CHAUDHARI

Kiran Shivaji Gaikwad
Versus

...Applicant

State Of Maharashtra

...Respondent

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by HARISH
VITHAL
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Date:
2025.11.28
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Mr. Prem Kumar R. Pandey a/w Mr. Devendra Agrawal, for the
Applicant.

Mr. S. H. Yadav, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th NOVEMBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in Crime No.100 of 2019 registered with Karad Taluka Police Station, District Satara for the offences punishable under Sections 395, 397, 400 r/w Section 34 of the Indian Penal Code 1860 and Section 3(25) of the Arms Act, 1959.

2. It is prosecutions case that on 11th March 2019 the applicant and co-accused barged in Shenoli Branch of Bank of Maharashtra, taken the first informant on gunpoint and by threatening the bank

employees, robbed the cash amount of Rs.23,20,000/- and gold jewelry valued at Rs.8,51,675/-.

3. It is contention of learned counsel for the applicant that the co-accused Abhishekkumar Singh against whom having similar allegations like the applicant, has been released on bail by this Court (Coram :M.S. Karnik J.). Hence, the applicant is entitled for bail on principle of parity. Learned counsel further submitted that the applicant is behind bar more than 6 years and 9 months. Yet charge is not framed. There is no progress in trial. It may take time to conclude the trial and requested to allow the application.

4. It is contention of learned APP that the applicant is played men roll in the said crime. He has pointed out the gun towards the first informant and threaten the bank employees. If applicant released on bail he may abscond. The trial is prolonged due to non co-operation of the applicant and co-accused. The cash amount of Rs.7,84,000/-, 4 revolvers and some live cartridges has been recovered at the instance of the applicant. Out of the robbed gold jewelry, one gold chain has also recovered at the instance of the applicant. There is progress in trial. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record.

6. Admittedly, the applicant is behind bar more than 6 years and 9 months. Yet charge is not framed. There is no progress in trial. Though the allegations against the applicant of pointing out the gun towards the first informant, the co-accused Abhishekkumar Singh against whom having similar allegations like the applicant, has been released on bail. Considering this fact, the applicant is entitled for bail on principle of parity and I pass following order :

ORDER

- I. Application is allowed;
 - II. The applicant be enlarged on bail in Crime No.100 of 2019 registered with Karad Taluka Police Station, District-Satara, 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 first informant, witnesses or any person concerned with the case.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. 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.

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

(SHIVKUMAR DIGE, J.)