

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2001 OF 2025

Shri. Ashish Laxman Wadkar ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Kunal Patil i/b Mr. Prashant Prabhakar Raul, learned Advocate for the Applicant.

Mr. Tanveer G. Khan, learned A.P.P for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th AUGUST 2025.

P.C. :

1. Heard Mr. Kunal Patil, learned Advocate for the Applicant and Mr. Tanveer Khan, learned A.P.P for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 344 of 2025 registered with Bhudargad Police Station, District-Kolhapur for the offences punishable under Sections 109, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**” for short) read with Sections 3(1) and 25 of the Indian Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. Mr. Kunal Patil, learned Advocate for the Applicant submits

that the abovesaid crime is registered as Sessions Case No. 61 of 2025 and is pending on the file of Additional Sessions Judge, Kolhapur.

4. There are 4 accused persons in the present crime. Applicant is Accused No. 3.

5. Applicant was arrested on 23rd November 2024, since then he is in jail. Criminal Bail Application at Exhibit-8 filed by the Applicant in Sessions Case No. 61 of 2025, was rejected by the learned Additional Sessions Judge, Kolhapur by order dated 11th April 2025.

6. Mr. Kunal Patil, learned Advocate for the Applicant submits that the Applicant is seeking bail on the sole ground of parity. He submits that the involvement of Applicant in the present crime is similar and identical to the involvement of co-accused No. 4. He submits that on similar allegations, the co-accused No. 4 has been released on bail by the Additional Sessions Judge, Kolhapur vide order dated 4th March 2025 passed in Criminal Bail Application No. 141 of 2025. He tenders a copy of the said order dated 4th March 2025, by which Accused No. 4 has been released on bail, same is taken on record and marked as "X" for identification. He submits that the Applicant is therefore entitled to bail on the ground of parity.

7. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent submits that the involvement of Applicant in the present crime is similar and identical to the involvement of Accused No. 4 in the present crime. He submits that Accused No. 4 being released on

bail by order dated 4th March 2025, the Applicant herein would be entitled to bail on the ground of parity.

8. I have perused the records, more particularly the order dated 4th March 2025 passed by the learned Additional Sessions Judge, Kolhapur in Criminal Bail Application No. 141 of 2025 filed by Accused No. 4 (Nitikesh Bajirao Raut), with the assistance of learned Advocates of the parties.

9. Perusal of the charge-sheet indicates the role assigned to the Applicant (Accused No. 3) and Accused No. 4 in the present crime, is similar and identical, as submitted by Mr. Kunal Patil, learned Advocate for the Applicant and Mr. Tanveer Khan, learned A.P.P. for the State/Respondent. Accused No. 4 being granted bail, the Applicant would be entitled to bail on the principle of parity.

10. In view of the above, the present Bail Application is allowed on the following conditions :-

- a. Applicant is directed to be released on bail in connection with Crime No. 344 of 2025 registered with Bhudargad Police Station, District-Kolhapur for the offences punishable under Sections 109, 351(2) and 3(5) of the BNS read with Sections 3(1) and 25 of the Indian Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951 on executing P.R. Bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand Only) with one or two solvent sureties in the like amount to the satisfaction of the Additional Sessions Judge, Kolhapur.

- b. Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
 - c. After release, the Applicant to attend concerned Police Station on every Monday of each month between 11.00 a.m. to 1.00 p.m. till framing of charge.
 - d. Applicant shall remain present before the Court on the dates fixed for hearing of the case.
 - e. Applicant shall submit his identity proof, address proof and co-operate the Investigating Officer for further investigation.
11. Criminal Bail Application No. 2001 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

Digitally signed
by GITALAXMI
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KOTAWADEKAR
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