

Harish

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

CRIMINAL BAIL APPLICATION NO.2480 OF 2025

Ashok @ Kantya Vishwanath Gangavane ...Applicant
Versus
The State Of Maharashtra ...Respondent

Ms. Shubhangi Parulekar for the Applicant.
Mr. S. S. Chaudhari, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 14th OCTOBER, 2025

P.C.:

1. By this application, applicant is seeking regular bail in crime no. 579 of 2022 registered with Vijapurnaka Police Station, Solapur for the offences punishable under Sections 392 read with Section 34 of Indian Penal Code, 1860 and under Sections 3(1)(ii), 3(2), 3(4) of Maharashtra Control of Organized Crime Act, 1999.

2. It is prosecution's case that on 20th November, 2022 at around 11.15 a.m. when the first informant had gone to bring the milk in the Court yard of her house, at that time, two unknown persons came there and snatched her gold chain and

ran away on motorcycle. It is alleged that the applicant was riding the motorcycle and the pillion rider snatched the gold chain of the first informant.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar more than 3 years. The co-accused Anil Birdavde has been released on bail by this Court. Hence, the applicant is entitled for bail on the principle of parity. He further submits that the applicant has filed undertaking stating that he will not indulge such type of offence. Hence, requested to allow the application.

4. It is contention of learned APP that parity will not be applicable to the applicant. Applicant has 12 antecedents. Applicant is threat to the society. The motor cycle used in the crime is recovered at the instance of the applicant. The witness has been identified the applicant in TI Parade. If the applicant released on bail, he may commit similar type of offence or threaten the prosecution witnesses. Hence, requested to reject the application.

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

6. The co-accused against whom allegation of making recce of the incident spot, has been released on bail. The allegations against the applicant are that he was riding the motorcycle when the pillion rider snatched the golden chain of the first informant. Applicant is behind bar more than 3 years. Though charge is framed, there is no progress in trial. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

- I. Application is allowed.
- II. The applicant be enlarged on bail in crime no. 579 of 2022 registered with Vijapurnaka Police Station, Solapur 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 attend the Vijapurnaka Police Station, Solapur once in a week i.e. on 20th October, 2025 between 11.00 a.m. to 1.00 p.m. and on 27th October, 2025 between 11.00 a.m. to 1.00 p.m.
- IV. The applicant shall not enter in Solapur District till 3rd November, 2025, except attending

Vijapurnaka Police Station.

- V. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
 - VI. If any fresh crime is registered against the applicant, it will be the ground for cancellation of this bail.
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.]