

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

CRIMINAL BAIL APPLICATION NO. 2548 OF 2025

Akshay Kanta Shewate

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Shailesh D. Chavan a/w Mr. Hrishikesh Avhad, Mr. Prathmesh Bankar and Ms. Sampada Patil, Advocate for the Applicant.

Ms. Priyanka S. Rane, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th NOVEMBER, 2025.

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P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.4 of 2021 registered with Bhuinj Police Station, Taluka – Wai, District Satara, for the offences punishable under Sections 302, 307, 364, 120-B, 396, 201 read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”) and Sections 3(1) (ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (for short, “MCOC Act”).

2. It is prosecution’s case that 06.01.2021, Bhuinj Police

Station had received missing complaint about Mr. Omkar. During investigation of the missing complaint, it is revealed that four unknown persons had kidnapped Mr. Omkar. The incident was witnessed by Gaurav Matkar. It is further alleged that on 8th January, 2021, the police apprehended accused Nos.1 to 4 on the accusation of murder of Mr. Omkar. It is alleged that they had stolen gold ring and mobile phone of Mr. Omkar. The motto behind the commission of crime was deceased Mr. Omkar used to harass the sister of accused No.1, therefore, at the instance of accused No.1, all accused committed murder of Mr. Omkar. They burned his body at Bhuinj Crematorium and threw the ashes into river. FIR was registered against the Accused Nos.1 to 6. In investigation, it is revealed that police has arrested the applicant in connection with the present crime. The allegations against the Applicant are that he has assaulted the deceased.

3. Learned counsel for the Applicant submitted that the co-accused Shubham Jadhav, Ajay Gaikwad, Amit @ Gotya Bhosle, Rohit Kchare, Vaibhav Shewate. against whom the same allegations are levelled have been released on bail. Hence, the Applicant is entitled for bail on principle of parity. The Applicant is behind bar for more

than four years and nine months. It may take time to conclude the trial, and requested to allow the application.

4. Learned APP strongly objected to allow the application. She submitted that the Applicant had assaulted the deceased and the first informant. He had active role in the crime, hence, requested to reject the application.

5. I have heard both learned counsel. Perused charge-sheet produced on record. The co-accused against whom the same allegations are levelled have been released on bail by this Court. The Applicant is behind bar for more than four years and nine months, it may take time to conclude the trial, hence, I am inclined to allow the application, and I pass following order:

ORDER

- i. The Applicant be released on bail in C.R. No.4 of 2021 registered with Bhujin Police Station, Tal – Wai, District – Satara on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- ii. The Applicant shall not enter into territorial jurisdiction Bhujin Police Station, Satara, till

conclusion of trial, except on the date of trial;

- iii. The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st and 16th day of every month between 12:00 noon and 2:00 p.m. till conclusion of trial, except on the date of trial;
- iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v. Liberty is granted to the State for cancellation of bail, in case, the applicant breaches any of the conditions and/or if the applicant commits similar offence;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.
- . The application is allowed in above terms and disposed off.

6. 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.

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

(SHIVKUMAR DIGE, J.)