

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

CRIMINAL BAIL APPLICATION NO. 3090 OF 2024

Ananda @ Lalya Kumar Sutar

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Pratik G. Tare a/w Mr. Sachin Y. Mane and Ms. Vaishnavi Swami,
Advocate for the Applicant.

Ms. Veera Shinde, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th SEPTEMBER, 2025.

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P.C. :

1. The Applicant is seeking regular bail in connection with C.R. No. 269 of 2021 registered with Shahapur Police Station, District: Kolhapur, for the offences punishable under Sections 302 read with Section 34 of the Indian Penal Code, 1860 (for short, “IPC”).

2. It is prosecution’s case that the Applicant and co-accused murdered the deceased on the ground of financial dispute.

3. It is contention of learned counsel for the Applicant that the

co-accused Aniket Shinde against whom the same allegations are levelled has been released on bail by this Court (Coram: N. R. Borkar, J) vide order dated 18th February, 2025, hence, Applicant is entitled for bail on the ground of principle of parity.

Learned counsel further submitted that the Applicant is behind bars for more than three years and eleven months, yet charge has not been framed. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant had financial dispute with the deceased. The Applicant has motive to kill the deceased. The role attributed to the co-accused, who has been released on bail is different from the role of the Applicant. If the Applicant is released on bail, he may threaten the prosecution witnesses, and requested to reject the application.

5. I have heard both learned counsel, perused the F.I.R. and document produced on record.

6. The prosecution's case is based on circumstantial evidence. The offence was registered against unknown person. In investigation, it was revealed that the Applicant and co-accused murdered the deceased on the ground of financial dispute. The co-accused having

same allegations has been released on bail. The Applicant is behind bars for more than three years and eleven months, yet charge has not been framed. It may take time to conclude the trial. The Applicant has no antecedents. Considering these facts, I pass the following order :

ORDER

- i. The Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No. 269 of 2021 registered with Shahapur Police Station, District: Kolhapur, on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- iii. The Applicant shall mark his attendance with the concerned police station as and when required.
- iv. The Applicant shall remain present before the trial Court on each date unless exempted by the trial Court.
- v. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
- vi. The Trial Court shall not be influenced by the

observations made in this order and shall decide the matter on its own merits and in accordance with law.

- vii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

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

(SHIVKUMAR DIGE, J.)