

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION. NO. 3111 OF 2025**

HARISH
VITHAL
CHAUDHARI

Tushar Prahlad Dhotre
Vs

...Applicant

State Of Maharashtra

...Respondent

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.24
20:04:12 +0530

Mr. Tejas Modak i/b Amit Icham & Hrushikesh Sakunde for the Applicant.

Dr. A. A. Takalkar, APP for the Respondet-State.

PI. Nilesh Tambe, Satara Taluka Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd SEPTEMBER 2025

P.C.:

1. By this application, applicant is seeking bail in Crime No.28 of 2025 registered with Satara Taluka Police Station, Satara for the offences punishable under Sections 109, 111(3), 111(4), 61(2), 351(2), 351(3), 3(5), 49 and 249 of Bharatiya Nyaya Sanhita and Section 3 and 25 of Arms Act.

2. It is prosecution's case that on 27th January, 2025, when the informant and his friend were going on motorcycle, at that time, the applicant and co-accused chased them and co-accused fired on the first informant and his friend from the pistol with intention to kill them.

3. It is the contention of learned counsel for the applicant that the allegations against the applicant are that he conspired to attack on the first informant and his friend and he was present in the swift car at the time of incident. He further submits that the co-accused against whom allegations are that he was riding bike when other co-accused fired from his pistol on the first informant and his friend, has been released on bail. Hence, the applicant is entitled for bail on the principal of parity. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant was present in the swift car at the time of incident. The applicant conspired to attack on the first informant and his friend, it shows his involvement in the crime. The applicant has two antecedents. From one offence, he has been acquitted and other offence is pending against him. If he is released on bail, he may abscond 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. It appears from the record that investigation is completed

and chargesheet has been filed. Applicant is behind bar more than 8 months. The co-accused against whom the allegations are that he was riding bike whereas, the other co-accused fired from his pistol on the first informant and his friend, has been released on bail. Considering this fact, the applicant is entitled for bail on the principle of parity. Further detention of applicant is not required and I pass following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No.28 of 2025 registered with Satara Taluka Police Station, Satara, on executing P.R.Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (ii) The applicant shall attend the Court dates regularly.
- (iii) 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.
- (iv) The applicant shall not tamper with the evidence or attempt to influence or contact the

complainant, 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.]