

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION. NO. 3188 OF 2025**

HARISH
VITHAL
CHAUDHARI

Babalu Ramdas Shinde

...Applicant

Versus

State Of Maharashtra

...Respondent

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by HARISH
VITHAL
CHAUDHARI
Date: 2025.11.11
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Mr. Shailesh Kharat a/w Vishwajeet W. for the Applicant.
Ms. A. A. Takalkar, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th NOVEMBER, 2025

P.C.:

1. The Applicant is seeking regular bail in crime no.244 of 2018 registered with Pandharpur City Police Station, Solapur Dist-Solapur for the offences punishable under Sections 302, 303, 120(B), 201, 143, 147, 148, 149 of Indian Penal Code, 1860, under Sections 3, 4, 25, 5(27) of Arms Act, 1959, under Section 135 of Maharashtra Police Act, 1951 and under Sections 3(1)(ii), 3(2) & 3(4) of Maharashtra Control of Organised Crime, 1999.

2. It is prosecution's case that on 18th March, 2018 at around 1:10 p.m., the applicant and co-accused assaulted the son of

first informant with sharp weapon and fired at him and murdered him on the ground of old dispute.

3. It is contention of the learned counsel for the applicant that the applicant is behind bar more than 7 years and 5 months. Accused no. 1 against whom there are allegations of motive of the present crime, has been released on bail by this court. Hence, the applicant is entitled for bail on principle of parity.

4. It is contention of learned APP that the applicant and co-accused assaulted the son of the first informant with sharp weapon and fired at him. The applicant has been convicted under section 302 of IPC and while on parole, he committed the present crime. The confessional statement of co-accused shows main roll of the applicant in the present crime. If the applicant released on bail, he may 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 the accused no.1 and other co-accused have been released on bail by this Court against whom similar allegations are leveled like the applicant. Hence,

the applicant is entitled for bail on principle of parity. Moreover, applicant is behind bar more than 7 years and 5 months. Yet charge is not framed. Considering these facts, I pass following order :

ORDER

- I. The application is allowed.
 - II. The applicant be enlarged on bail in C.R.No.244 of 2018 registered with Pandharpur City Police Station, Dist-Solapur, on executing PR.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
 - III. The applicant shall attend the police station as and when required.
 - IV. The applicant shall not enter in Solapur District till recording of the evidence of eye witnesses except attending the Court dates.
 - 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.
7. The application is allowed in the aforesaid terms and is accordingly disposed of.
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.]