

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

CRIMINAL BAIL APPLICATION NO. 3380 OF 2025

Swapnil @ Samrat Shivaji Kumbhar ...Applicant
Versus
The State of Maharashtra ...Respondent

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Ms. Pallavi S. Kante for Applicant.

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

Mr. D.R. Magdum, Shreni PSI, Vishrambag Police Station, present.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 18th NOVEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No. 124 of 2019 registered with Vishrambag Police Station, District: Sangli for the offences punishable under Sections 302, 307, 120-B, 102, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code (for short "IPC") and under Sections 4, 25 and 27 of the Arms Act and under Section 135 of The Maharashtra Police Act and under Sections 3(1)(i)(ii), 3(2) & 3(4) of The Maharashtra Control of Organised Crime Act, 1999.

2. It is the prosecution's case that on 10th April 2019 at around 8.30 p.m. the applicant and co-accused assaulted the deceased with

sharp weapon and murdered him. It is alleged that the applicant and co-accused assaulted the first informant with sharp weapon with intention to kill him.

1. It is the contention of learned counsel for the applicant that the co-accused Praveen Babar against whom same allegations are leveled, have been released on bail by this Court (Coram : Anil S. Kilor J.). The applicant is entitled for a bail on the principle of parity. Hence, requested to allow the application.

2. It is the contention of the learned APP that the co-accused is a gang leader. He runs a gang and has terror in the Sangli area. The applicant along with co-accused assaulted the deceased and first informant. The gang leader had planned to kill the deceased with co-accused. If applicant released on bail he may abscond and threaten the prosecution witnesses. Hence, requested to reject the application.

3. I have heard both learned counsel. Perused the FIR and documents produced on record.

4. The allegations levelled against the applicant and co-accused Praveen Babar are same. The co-accused Praveen Babar has been released on bail by this Court (Coram : Anil S. Kilor). The said order has not been challenged by the State. The applicant is entitled for a bail on the principle of parity. Moreover, the applicant is behind bar

more than six years. Yet the trial has not been concluded. Considering the above facts, further detention of the applicant is not required.

5. In view of above, I pass the following order :

ORDER

- (i) The application is allowed;
- (ii) The applicant be enlarged on bail in C.R.No. 124 of 2019 registered with Vishrambag Police Station, Dist: Sangli, on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the territorial jurisdiction of Dist-Sangli till the conclusion of the trial except to attend the Court dates;
- (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 to apply cancellation of bail 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.

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

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

(SHIVKUMAR DIGE, J.)