

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3403 OF 2025**

Rushikesh @ Gendya Babaso Choughule ...Applicant

Versus

The State Of Maharashtra ...Respondent

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Mr. Ramnik P. Pawar a/w Mr. Rahul Gupta, Mr. Samadhan Mahamulkar Mr. Amit Waykool, Mr. Parvez Nadaf, Ms. Dhanashri Jagadale for Applicant.

Dr. A. A. Takalkar APP for the State

Mr. Anilkumar B. Gaikwad, SDPO, Kolhapur

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CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd DECEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. I-123 of 2021 registered with Rajarampuri Police Station, Kolhapur for offences punishable under Sections 302, 323, 143, 147, 148, 149, 341, 427, 504, 506 of the Indian Penal Code and under Sections 3(1)(ii) 3(2), 3(4) of The Maharashtra Control of Organised Crime Act, 1999 ('MCOC').

2. It is contention of learned counsel for applicant that the applicant was released on bail by the Trial Court. After releasing on bail, the applicant could not attend the Court dates regularly, hence, non-bailable warrant ('NBW') was issued against him and in

execution of NBW, the applicant is taken in MCR and Trial Court has rejected his bail application. As the applicant was already released on bail, hence, requested to allow the application.

3. It is contention of learned APP that the applicant is habitual offender. The provisions of MCOC are applied against the applicant. While on bail, the applicant has committed two offences. He was continuously absent before the Trial Court. Hence, matter was prolonged. The Trial Court has passed a well reasoned order and no interference is required in it.

4. I have heard all the learned counsel, perused F.I.R. and documents produced on record. The applicant was already released on bail. NBW was issued against him as he was absent before the Trial Court. Learned counsel for the applicant on instructions submits that the applicant will attend the trial Court dates regularly.

5. Considering these facts, I pass following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in C.R. No. I-123 of 2021 registered with Rajarampuri Police Station, Kolhapur on executing P.R.Bond in the sum of Rs. 20,000/- with one or two

sureties in the like amount.

III. The Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.

IV. The Applicant shall attend the Trial Court dates, regularly.

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

VI. 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.

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

(SHIVKUMAR DIGE, J.)