

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3408 OF 2025

Aakib Imran Mulla ...Applicant
Versus
The State Of Maharashtra ...Respondent

Mr. Pratik G. Tare a/w Vaishnavi S. Swami Advocate for the Applicant
Mr. N. B. Patil, APP for the Respondent-State.
Mr. S. K. Waydande, API, Shivajinagar PS.

CORAM : SHIVKUMAR DIGE, J.
DATE : 4th NOVEMBER, 2025.

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1. By this application, applicant is seeking regular bail in Crime No.835 2024 registered with Shivaji Nagar Police Station, Kolhapur, Dist-Kolhapur for the offences punishable under Sections 109(1) 351(2), 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023.
2. It is prosecution's case that on 29th September 2024 around 11.30 p.m., the applicant and co-accused assaulted the brother of the first informant using a sickle with an intention to kill him.
3. It is the contention of learned counsel for the applicant that applicant is behind bar for more than one month. Charge is framed.

The co-accused has been released on bail. The applicant is entitled for bail on principle of parity. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant is the main culprit who assaulted the first informant with sickle. Due to assault by the applicant, fingers of the first informant's hand have been cut. The applicant has one antecedent. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record. Applicant is behind bar for more than one month. Charge is framed. The co-accused has been released on bail.

6. Considering these facts, further detention of the applicant is not required. Hence, I pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant be enlarged on bail in Crime No.835 2024 registered with Shivaji Nagar Police Station, Kolhapur, Dist-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 attend the Court dates regularly.

(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.

(v) The applicant shall not enter Kolhapur district till recording of evidence of the first informant and eye witnesses, except attending Court dates.

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.)