

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

CRIMINAL BAIL APPLICATION NO. 3497 OF 2025

Mahamad Akbar S/o Mahamad Khan ...Applicant
Versus
The State of Maharashtra ...Respondent

.....

Mr. Laxman Kalel i/b Mr. Dharmesh Upadhyay a/w Mr. Santosh P,
Advocate for Applicant.

Mr. S. H. Yadav, APP for the Respondent-State.

.....

CORAM : SHIVKUMAR DIGE, J.
DATE : 12th NOVEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.267 of 2024 registered with Tembhurni Police Station, District Solapur for the offences punishable under Sections 302, 201, 120(B) read with 34 of the Indian Penal Code (for short “IPC”).

2. It is prosecution’s case that on 26th May, 2024, Police found body of unknown person in injured condition. The Police registered FIR against the unknown person. It is alleged that the applicant and co-accused have murdered the deceased on the ground that the deceased was asking for sexual favour from his own mother, therefore

the co-accused had given contract to kill the deceased to the applicant and co-accused.

3. It is contention of learned counsel for applicant that the co-accused against whom similar allegations are levelled have been released on bail. The applicant is behind bar for more than 527 days. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant had taken contract from the co-accused to kill the deceased, accordingly he killed the deceased and thrown his body on the side of road. If applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. The co-accused against whom the similar allegations are levelled have been released on bail. Considering these facts, the applicant is entitled for bail on principle of parity.

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

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.267 of 2024 registered with Tembhurni Police Station, District Solapur, 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) Applicant shall attend the Trial Court dates, regularly.

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.)