

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

CRIMINAL BAIL APPLICATION NO. 3356 OF 2025

Vinayak Sukumar Lad @ Koli Applicant

Versus

The State of Maharashtra Respondent

WITH
INTERIM APPLICATION NO. 3533 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 3356 OF 2025

Shrikant Tanaji Mohite Applicant

IN THE MATTER BETWEEN

Vinayak Sukumar Lad @ Koli Applicant

Versus

The State of Maharashtra Respondent

Mr. Pratik Jadhav a/w Mr. Nitin Patil, Advocate for the Applicant.

Dr. A. A. Takalkar, A.P.P., for the Respondent – State.

Mr. Sunil S. Kamble, Advocate for the Intervenor.

Mr. Ajit K. Guray, PC, Bhudargad Police Station – present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd NOVEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.344 of 2024 registered with Bhudargad Police Station, District: Kolhapur, for the offences punishable under Sections

109, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Sections 3(1), 25 of the Arms Act, and Section 135 of the Maharashtra Police Act, 1951.

2. It is prosecution’s case that on 23rd November, 2024 around 7:30 a.m., the Applicant and co-accused fired at the first informant using a country made pistol with intention to kill him on the ground of old dispute.

3. It is contention of learned counsel for the Applicant that cross complaint was filed by the Applicant and first informant against each other. The first informant had also fired at the Applicant at the time of incident, he has been released on bail. The main allegations are against the co-accused Aniket Koli. The allegations against the Applicant are that he fired in the air. The Applicant is behind bar for around one year, yet charge has not been framed. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for the Intervenor that the Applicant has four antecedents. He fired at the first informant using a country made pistol with intention to kill him. There are eye witnesses to the incident. The bullet fired by the Applicant or co-accused Aniket pierced the thigh of the first informant. If the Applicant is released on bail, he may threaten the first informant

and eye witnesses. Learned APP further submitted that incident is captured in CCTV footage and requested to reject the application.

5. I have heard all learned counsel, perused F.I.R. and documents produced on record.

6. The Applicant is behind bar for around one year, there is no progress in the trial. The first informant against whom the allegations are that he also cross fired at the Applicant and co-accused has been released on bail. Investigation is completed and charge-sheet has been filed. Considering these facts, I pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No.344 of 2024 registered Bhudargad Police Station, District: Kolhapur, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- iii. The Applicant shall attend the concerned police station as and when required.
- iv. The Applicant shall not enter the jurisdiction of the Shirol Police Station except attending the Court date.
- v. The Applicant shall remain present before the trial

Court on each date unless exempted by the Trial Court.

- vi. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
 - vii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
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.
10. In view of disposal of bail application, the interim application does not survive and same as also disposed off.

(SHIVKUMAR DIGE, J.)