

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLN. NO. 3596 OF 2025**

Sagar Kondiba Khatal ...Applicants

Versus

The State Of Maharashtra And Another ...Respondents

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Ms. Sneha Sule i/b Ms. Savita Shedbale for the applicants

Mr. Anand S. Shalgaonkar APP for the State

Advocate D. M. Desai for respondent no. 2 appointed through Legal Aid

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 23<sup>rd</sup> DECEMBER, 2025**

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**P.C.**

1. By this application, applicant is seeking regular bail in Crime No. 48 of 2022 registered with Jath Police Station, District Sangli for offences punishable under Sections 376(D), 504, 506 of the Indian Penal Code.

2. It is the prosecution's case that on 21<sup>st</sup> December 2021, the applicant and accused no. 2 sexually assaulted the first informant by taking turns.

3. It is contention of learned counsel for applicant that accused no. 2 is released on bail by this Court having similar allegations. The applicant is entitled for bail on principle of parity.

4. It is contention of learned APP alongwith learned counsel for respondent no. 2 that the applicant has played main role in the said offence. He called the first informant and sexually assaulted her. The role of the applicant co-accused is different. If applicant is released on bail, he may threaten the first informant and prosecution witnesses and requested to reject the application.

5. I have heard all the learned counsels, perused F.I.R. and documents produced on record. There is delay of around 2 months in lodging F.I.R. The co-accused having similar allegations is released on bail.

6. Considering these facts, I pass following order:

### **ORDER**

I. The Application is allowed.

II. The Applicant be enlarged on bail in Crime No. 48 of 2022 registered with Jath Police Station, District Sangli 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. Professional fees of Rs. 10,000/- to be paid to learned counsel appointed through Legal Aid for respondent no. 2.
- VII. 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.
- VIII. All concerned to act on the authenticated copy of this order.

**(SHIVKUMAR DIGE, J.)**