

...Respondent

Mr. Vikrant Phatate, Advocate for the Applicant
Ms. Veera Shinde, APP for the Respondent-State.

DATE : 3rd DECEMBER, 2025.

1. By this application, applicant is seeking regular bail in C.R. No. 136 of 2019 registered with Rajarampuri Police Station, Kolhapur, District: Kolhapur for offences punishable under Sections 109, 120-B, 143, 147, 149, 155, 332, 353, 420, 427, 307, 395 and 212 of the Indian Penal Code and under Sections 4 and 5 of The Gambling Act and under Section 65(E) of The Maharashtra Prohibition Act and under Sections 37(3), 135 of The Maharashtra Police Act and under Sectionis 3(1) 3(2), 3(3), 3(4) and 3(5) of The Maharashtra Control of Organised Crime Act, 1999.

2. It is the prosecution's case that on 8th April 2019, on secret information, police raided on one house. In the said house, co-

accused were playing Matka. When police were taking search of the said house, it is alleged that co-accused charged on the police team and assaulted them with fist and kick blows. It is alleged that some co-accused snatched the pistol from the police officers and pointed at them. It is alleged that the applicant used to meet the co-accused Sandeep Korane during his absconding period.

3. It is contention of learned counsel for applicant that the applicant was not present at the time of incident. The allegations against the applicant are he used to meet the co-accused during absconding period. Applicant is behind bar for more than 8 months. Some of the co-accused have been released on regular bail. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant is a member of organized crime syndicate. He helped the co-accused when they were absconding. The co-accused assaulted the police officers while performing their duty. If applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. Admittedly at the time of incident,

the applicant was not present. He has not participated in the assault on police. The role of the applicant is meeting the co-accused while he was absconding. Considering these facts, as well as applicant is behind bar for more than 8 months and investigation is completed and charge-sheet has been filed, I pass following order:

ORDER

- I. The Application is allowed.
- II. The Applicant be enlarged on bail in C.R. No. 136 of 2019 registered with Rajarampuri Police Station, Kolhapur, District: 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.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. 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.

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

(SHIVKUMAR DIGE, J.)

IRESH
MASHAL

Digitally signed by
IRESH MASHAL
Date: 2025.12.04
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