

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

CRIMINAL BAIL APPLICATION NO. 3688 OF 2025

Akshay Kamatnure ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Kuldeep U. Nikam a/w Mr. Onkar Bajaj a/w Mr. Unmesh Jamdar,
Advocate for the Applicant.

Mr. S. S. Chaudhari APP for the Respondent-State.

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

P.C.

1. By this application, applicant is seeking regular bail in Crime No.75 of 2021 registered with Ichalkaranji Police Station, District-Kolhapur for the offences punishable under Sections 302, 397, 120(b), 301 r/w Section 34 of the Indian Penal Code, 1860 (for short "IPC").

2. It is prosecution's case that the applicant and co-accused murdered the deceased while robbing the money of deceased.

3. It is contention of learned counsel for applicant that the other two co-accused having similar allegations have been released on bail. Hence, the applicant is entitled for bail on principle of parity.

The applicant is behind bar for more than four years. There is no progress in the trial. Hence, requested to allow the application.

4. It is contention of learned APP that mobile phone of the deceased is recovered at the instance of the applicant. The applicant has grave role than other two co-accused. If applicant is released on bail, he may abscond or threaten the prosecution witnesses. The charge is framed against the applicant. Hence, requested to reject the application.

5. I have heard both the learned counsels, perused the FIR and documents placed on record. The applicant is behind bar for more than four years. There is no progress in trial. It is alleged that the applicant along with co-accused have murdered the deceased. The two other co-accused having similar allegations have been released on bail. Considering these facts, the applicant is entitled or bail on the 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.75 of 2021 registered with Ichalkaranji Police Station, District-Kolhapur, on executing P.R.Bond in the

sum of Rs.30,000/- 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.)