

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

CRIMINAL BAIL APPLICATION NO. 4647 OF 2024

Rutvik Amar Suryavanshi ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Umesh H. Pawar for the applicant

Mr. S. H. Yadav APP for the State

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.638 of 2021 registered with Shahupuri Police Station, Kolhapur, for the offences punishable under Sections 395, 397, 120(B), 324, 323, 427, 504, 506 of Indian Penal Code (for short “IPC and under Sections 3(1)(ii), 3(2) & 3(4) of The Maharashtra Control of Organised Crime Act (for short “MCOC” Act) and under Sections 4 and 25 of Arms Act.

2. It is prosecution’s case that on 21st October 2021 at midnight 12:30 a.m. the applicant and co-accused assaulted the first informant with sharp weapon, wooden stick and damaged the Honda

City Car of the first informant and taken out the mobile and Rs.2,000/- from the pocket of the first informant.

3. It is contention of learned counsel for applicant that the applicant is behind bar around 4 years. There is no progress in trial. The co-accused against whom the same allegations have been levelled are released on bail. Hence, applicant is entitled for bail on principle of parity and requested to allow the application.

4. It is contention of learned APP that applicant is the gang leader. He has antecedents. The Provisions of MCOC is applied against the applicant. The main allegations are against the applicant that he assaulted the first informant and he has taken out the mobile and Rs.2,000/- from his pocket. If applicant is released on bail, he may abscond or may threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. Applicant is behind bar around four years. The co-accused have been released on bail. There is no progress in trial, though charge is framed. It may take time to conclude the trial. Considering these facts, his further detention is not required.

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.638 of 2021 registered with Shahupuri Police Station, 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 enter in Kolhapur District till recording the evidence of first informant except attending the Court dates.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.
- (v) 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.)