

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 5198 OF 2024

Gajanan Manohar Sargar ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Ms. Payoshi Roy, Advocate for the Applicant.

Mr. V. A. Kulkarni, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 07.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 191 of 2024 registered at Jaysingpur Police Station, Dist-Kolhapur for the offences punishable under Sections 302 & 120B r/w 34 of the Indian Penal Code.
3. The applicant is accused No.6 in the aforesaid crime. According to the prosecution the applicant was member of gang of one Datta Patole. It is alleged that applicant and other co-accused were annoyed with the deceased as he and other members of his gang were involved in the murder of said Datta Patole. It is alleged that the present applicant and other co-accused thus decided to kill the

deceased and pursuant to said conspiracy, on the date of incident which took place on 11.04.2024, they assaulted the deceased by sharp weapons and committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the present applicant was not present at the time of alleged incident and only allegations against the applicant are of conspiracy. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the respondent/State submits that the applicant was in constant touch with the accused No.1, who is main assailant. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. The allegations against the applicant are of conspiracy. There are no other criminal antecedents against the applicant. Considering the nature of allegations against the applicant, I am inclined to release him on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 191 of 2024 registered at

Jaysingpur Police Station, Dist-Kolhapur for the offences punishable under Sections 302 & 120B r/w 34 of the Indian Penal Code, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of Kolhapur district, except to attend the dates before the trial Court.

D] The applicant shall not commit any other crime.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)