

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

CRIMINAL BAIL APPLICATION NO. 5281 OF 2024

Avinash Subhash Bhosale

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Kalpesh U. Patil Advocate for the Applicant.

Ms. Veera Shinde, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 6th NOVEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.82 of 2022 registered with Umbraj Police Station, District Satara for the offences punishable under Sections 395, 397, 412, 413 of the Indian Penal Code (for short "IPC") and Sections 3(i)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999.

2. It is prosecution's case that on 2nd March, 2022 at around 2:45 a.m., the applicant and co-accused barged in the house of first informant and by assaulting the first informant and his family members, robbed the gold ornaments and cash amount from their house.

3. It is contention of learned counsel for applicant that the applicant is behind bar for more than three years and seven months. The co-accused against whom the similar allegations are levelled have been released on bail. Hence, requested to allow the application for bail on the principle of parity.

4. It is contention of learned APP that the applicant is a habitual offender. He has 11 antecedents. If the applicant is released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. The applicant is behind bar for more than three years and seven months. There is no progress in the trial. The co-accused against whom the similar allegations are levelled have been released on bail. Considering these facts, the applicant is entitled for bail on 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.82 of 2022 registered with Umbraj Police Station, District Satara, 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 enter in Satara District except attending Court dates.

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the first informant, 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.)