

Harish

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

CRIMINAL BAIL APPLICATION NO. 5275 OF 2024

Sagar @ Rupesh Pandurang Mane	...Applicant
Versus	
The State Of Maharashtra	...Respondent

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CHAUDHARI

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Mr. Umesh H. Pawar for the Applicant.
Mr. S. S. Chaudhari, APP for the Respondent-State.
Ramdas Ingawake SDPO Gandhinglaj Dist- Kolhapur.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th OCTOBER, 2025

P.C.:

1. By this application, applicant is seeking regular bail in crime No.552 of 2021 registered with Juna Rajwada Police Station, Kolhapur for the offences punishable under Sections 397, 386, 366 and 120B of the Indian Penal Code, 1860.
2. It is prosecution's case that the applicant and co-accused kidnapped the first informant on the ground of implicating him in false case and robbed the amount from him.
3. It is the contention of learned counsel for the applicant that the co-accused against whom same allegations are leveled,

have been released on bail. Applicant is behind bar more than three years and nine months. Though charge is framed, no witnesses have been examined. Hence, the applicant is entitled for bail on the principal of parity. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant is gang leader. The provisions of MCOC Act has applied against the applicant. The applicant has 12 antecedents. The role assigned to co-accused, who are released on bail and the applicant is different. The witness has identified the applicant in TI Parade. While on bail, the applicant has committed 6 offences. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record.

6. Initially the applicant was released on bail. Thereafter, provisions of MCOC Act is applied against the applicant and against he is again taken into custody. The co-accused against whom the same allegations are leveled, have been released on

bail. The applicant is behind bar more than three years and nine months. There is no progress in trial. It may take time to conclude the trial. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

(i) The applicant be enlarged on bail in crime No.552 of 2021 registered with Juna Rajwada Police Station, District-Kolhapur on executing P.R.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend the Court dates regularly.

(iii) The applicant shall not enter in Kolhapur District except attending Court dates till recording to evidence of prosecution witnesses.

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

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.]