

Harish

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

CRIMINAL BAIL APPLICATION NO.739 OF 2025

Maruti Limbaji Sargar	Applicant
Vs.	
The State Of Maharashtra	Respondent

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.12
17:35:30 +0530

Adv. Aniket Nikam a/w Pramod Sutar & Atharva R. B. for the Applicant.

Ms. Dr. A. A Takalkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th SEPTEMBER 2025

P.C.:

1. By this application, the applicant is seeking regular bail in C. R. No. 195 of 2021 registered with Umadi Police Station, District Sangli for the offences punishable under Sections 307, 364, 395 and 397 of the Indian Penal Code, 1860 and Sections 3(1)(ii) and 3(4) of Maharashtra Control of Organized Crime Act, 1999.

2. It is the prosecution's case that the applicant and co-accused assaulted the first informant with stick, knife and iron rod with intention to kill him on the ground of money transaction.

3. It is the contention of learned counsel for the applicant that the co-accused against whom the allegations like applicant are there have been release on bail. Hence, the applicant is entitled for bail on the principle of parity. Applicant behind bar more than three years and six months. Yet there is no progress in the trial. Hence, requested to allow the application.

4. It is the contention learned APP that the applicant is a habitual offender. The provision of MCOC is applied against the him. He has assaulted the first informant with intention to kill him. If he released on bail he may abscond or threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

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

6. The co-accused against whom same allegations are leveled, have been released on bail. Applicant is behind bar more than three years and six months. There is no progress in the trial. It may take time to conclude the trial. Considering the above facts, further detention of the applicant is not required.

7. In view of the above, I pass the following order :

ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail in C.R.No. 195 of 2021 registered with Umadi Police Station, Dist: Sangli, on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the trial court proceeding regularly.
- (iv) The applicant shall not enter in Jat Taluka till recording of evidence of first informant except attending the Court dates.
- (v) The applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (vi) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. The application is allowed in the aforesaid terms and is accordingly disposed of.

9. 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.

10. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]