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

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1899 OF 2025

Suresh Uttam KaleApplicant

Vs.

The State of MaharashtraRespondent

Ms. Manisha Devkar a/w Mr. Shankar Katkar for the applicant
Mr. N. B. Patil APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th AUGUST 2025

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 53 of 2017 registered with Miraj Railway Police Station, for offences punishable under Sections 395, 120(B) of the Indian Penal Code.

2. It is the case of the prosecution that on 29/07/2017 first informant was travelling with his family members in Vasco - Hajrat Nijamuddin Goa express. When the said express was stopped prior to Shenoli railway station, at that time, two unknown thieves snatched gold Mangalsutra of first informant and ran away.

3. It is the contention of learned counsel for applicant that applicant is behind the bar for more than three years. Yet there is no progress in the trial. The co-accused against whom, serious allegations are levelled has been released on bail. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant is habitual offender. Several offences are registered against him. Charge has been framed. There is progress in trial. If applicant is released on bail, he may commit further offence. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. The offence under Section 395 and 120(B) of the Indian Penal Code is registered against the applicant. The maximum punishment for offence under Section 395 of the IPC is imprisonment for life or with rigorous imprisonment for a term which may extend to 10 years and shall also be liable to fine. Applicant is behind the bar for more than three years. Though charge is framed, there is no progress in the trial.

6. Considering these facts, further detention of applicant is not required and I pass following order :

ORDER

I. Application is allowed.

II. Applicant be enlarged on bail in C.R. No. 53 of 2017 registered with Miraj Railway Police Station on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

III. Applicant shall not tamper with the evidence or attempt to influence or contact the 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.]