

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

BAIL APPLICATION NO. 4254 OF 2024

Munir Allakabir Mulla	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO.5145 OF 2024
IN
BAIL APPLICATION NO. 4254 OF 2024**

Nazneen Naalsab Mulla	...Intervenor
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IN THE MATTER IN BETWEEN

Munir Allakabir Mulla	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Ms. Sana Raees Khan a/w Ms. Juhi Kadu, Advocate for the Applicant.

Mr. Pratik Jadhav, Advocate for the Intervenor.

Mrs. Veera Shinde, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	20th MARCH, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.443 of

2023 registered at Vishrambag Police Station, District : Sangli, for the offences punishable under Sections 302, 120-B, 201, 385, 143, 144, 147, 148, 149, 504, 506, 212 of the Indian Penal Code, Sections 3 read with Section 25, 4 read with Section 27 of the Arms Act and Sections 3(1)(i), 3(1)(ii), 3(2), 3(4) and 4 of the Maharashtra Control of Organised Crime Act (MCOCA Act).

3. The applicant is accused No. 15 in the aforesaid crime. According to the prosecution, the applicant is a member of organised crime syndicate formed by accused No.1 Swapnil Malme. The accused No.4 and the deceased were accused in Crime No. 124 of 2019. It is alleged that the deceased, who was on bail in the said crime, was not helping the accused No.4 to secure bail and thus accused No.4 was annoyed with him. It is alleged that he thus entered into conspiracy with accused No.1, who was also in jail at that time in another crime, to kill the deceased. According to the prosecution pursuant to said conspiracy pistols and bullets were procured and on 17.06.2023, the deceased was shot dead.

4. I have heard the learned counsel for the applicant

and learned A.P.P for the Respondent-State.

5. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the order passed by this Court dated 9th October 2024 in Criminal Bail Application No.2117 of 2024. By the said order, this Court has released the co-accused Akshay Babaso Shendage on bail.

6. The learned counsel for the applicant submits that the allegations against the applicant and co-accused Akshay Babaso Shendage are of procuring pistols. It is submitted that there are no other criminal antecedents against the applicant.

7. On the other hand, the learned APP for the Respondent/State submits that the applicant is involved in serious offence of murder. It is submitted that considering the nature of offence, the applicant may not be released on bail.

8. I have perused the charge-sheet. The allegations against the present applicant and the co-accused Akshay Babaso Shendage are of procuring pistols and bullets. As this Court has released the co-accused Akshay Babaso Shendage, I

am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.443 of 2023 registered at Vishrambag Police Station, District : Sangli, for the offences punishable under Sections 302, 120-B, 201, 385, 143, 144, 147, 148, 149, 504, 506, 212 of the Indian Penal Code, Sections 3 read with Section 25, 4 read with Section 27 of the Arms Act and Sections 3(1)(i), 3(1)(ii), 3(2), 3(4) and 4 of the Maharashtra Control of Organised Crime Act (MCOC Act), on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station twice in a month i.e on first and third Saturday between 11.00 a.m. to 12.00 p.m., till the conclusion of the trial.
- (iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- (v) Liberty is granted to the State to apply for cancellation of bail in case of any breach of conditions;
- (vi) Application stands disposed of accordingly;

(vii) In view of disposal of bail application, Interim Application stands disposed of.

(N. R. BORKAR, J.)