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

CRIMINAL BAIL APPLN. NO. 458 OF 2026

Daji S/o Dhanaraj Solanke … Applicant

Vs.

The State Of Maharashtra and Anr. … Respondents

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Mr. Atharva R. Bhingardeve a/w Ms. Seema Sutar i/b Mr. Pramod Sutar, for the Applicant.
Mr. Kumar V. Saste, APP, for the Respondent Nos.1 and 2 – State.
Officer: Mr. Sopan N. Lakade, Sangli City Police Station, District Sangli, present.

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SHANTANU SHANKARSA DHUDUM
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Date: 2026.10.28 10:42:05 +0530

CORAM : SHAILESH P. BRAHME, J.

DATE : 27th OCTOBER, 2026.

P. C. :

. Heard all learned Advocates appearing for the parties.

2. The Applicant seeks regular bail in connection with Crime No.802 of 2022 registered with Sangli City Police Station, District Sangli, for the offences punishable under Sections 395 of the Indian Penal Code, 1860 (for short "IPC") and Sectins 3(1)(ii), 3(2), 3(4) and 4 of the Maharashtra Control of Organized Crime Act, 1999 (for short "MCOC Act").

3. The incident of dacoity was reported to the police by the Informant, Ashish. The incident occurred at his residence during the

night intervening 22nd and 23rd December 2022. At midnight, the accused persons barged into his residence. They were armed with a steel rod and a cutter and threatened the Informant and his mother. The golden ornaments were stolen after threatening both of them, and the accused persons fled from the spot.

4. In the above circumstances, the Applicant was arrested on 07/01/2023. The charge-sheet was filed on 05/07/2023 against eight accused persons, including the Applicant. Out of the eight accused persons, three are behind bars and five are still absconding. After obtaining appropriate permission, the provisions of the MCOC Act are also invoked.

5. Learned counsel for the Applicant submits that there is no direct evidence against the Applicant and that he has not been identified. The test identification parade, which was conducted after two months, is doubtful. The Applicant has been implicated at the instance of the co-accused, which is inadmissible in evidence. The charge is yet to be framed in the trial.

6. Per contra, learned A.P.P. submits that the Applicant and the co-accused conspired to commit the dacoity and committed the offence after making preparations. The Applicant and the co-accused are members of a

gang and are involved in various offences. The co-accused are history-sheeters. After obtaining due permission, the provisions of the MCOC Act are made applicable. The recovery was effected at the instance of Accused No. 1. If the Applicant is released on bail, he is likely to tamper with the prosecution evidence and influence the prosecution witnesses, thereby endangering law and order.

7. The First Information Report was lodged against unidentified persons. There is no material on record to indicate that the Informant knew any of the perpetrators. In the test identification parade, the Applicant has been identified. The probative value of the memorandum of the test identification parade can be considered during the course of the trial.

8. I have gone through the antecedents of the Applicant and the other co-accused. The co-accused have serious criminal antecedents; however, no offence other than the present one is registered against the Applicant.

9. I have also gone through the supplementary statement of the Informant. The effect thereof can be considered during the course of the trial.

10. No recovery has been effected at the instance of the Applicant. The charge is yet to be framed. Considering overall conspectus of the matter,

I find that no purpose would be served by keeping the Applicant behind bars. The Applicant was arrested on 7th January 2023. In the facts and circumstances of the case, he is entitled to be released on bail. Hence, the following order:

ORDER

I. Bail Application is allowed.

II. The Applicant shall be released on bail in connection with Crime No.802 of 2022 registered with Sangli City Police Station, for the offences punishable under Sections 395 of the Indian Penal Code, 1860 (for short "IPC") and Sectins 3(1)(ii), 3(2), 3(4) and 4 of the Maharashtra Control of Organized Crime Act, 1999 (for short "MCOC Act"), on furnishing P.R. Bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one solvent sureties in the like amount, on the following conditions:

A) The Applicant shall not contact the prosecution evidence and contact the prosecution witnesses.

B) The Applicant shall report to the police station fortnightly, on Sundays, between 10:00 a.m. and 2:00 p.m., until the charge is framed, and thereafter as required by the Investigating Officer.

C) The Applicant shall furnish contact number of himself or his close relative / friend to the Investigating Officer.

D) The Applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

E) The Applicant shall surrender his Aadhar Card and PAN Card copies to the Investigating Officer.

11. Criminal Bail Application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)