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

CRIMINAL BAIL APPLICATION NO. 817 OF 2026

Kiran Aba Madane … Applicant
Versus
The State of Maharashtra & Anr. … Respondents

Mr. Amit Icham (through V.C.) for the Applicant.
Dr. A. A. Takalkar, APP for the State.
S. S. Bhagat, ASI, Shirval Police Station, Satara is present.

CORAM : ASHWIN D. BHOBE, J.

DATED : OCTOBER 5, 2026

P.C.:

1. Heard Mr. Amit Icham, learned Advocate for the Applicant and Dr. A. A. Takalkar, learned APP for the State.

2. By the present Application filed under Section 483 of the BNSS, 2023, the Applicant seeks regular bail in connection with Crime No. 41 of 2021, dated 1st March 2021, registered with the Shirval Police Station, District Satara, for offences punishable under Sections 395 of the Indian Penal Code and Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

3. Mr. Amit Icham, learned Advocate for the Applicant, states that there are five (5) accused in Crime No. 41 of 2021. He states that the

Applicant is Accused No. 5. He states that Crime No. 41 of 2021 is registered as Special Case No. 43 of 2023 and is pending before the Special Court, Wai ("Trial Court").

4. Mr. Amit Icham, learned Advocate for the Applicant, states that the Applicant seeks bail on the sole ground of parity. He submits that the allegations in Crime No. 41 of 2021 against the Applicant are similar to those made against Sunny alias Sonya Dhanaji Bhandalkar (Accused No. 2) and Prathamesh alias Sonu Hanmant Madane (Accused No. 3). He submits that Accused Nos. 2 and 3 are released on bail by this Court 20th April 2026 in Criminal Bail Application Nos. 3600 of 2025 and 3559 of 2025 (*Coram: Sachin S. Deshmukh, J.*). He tenders a copy of the Order dated 20th April 2026. He therefore submits that the Applicant is entitled to bail on the ground of parity.

5. Dr. A. A. Takalkar, learned APP for the State, on instructions, submits that the allegations against the Applicant in Crime No. 41 of 2021 are similar to those made against Accused Nos. 2 and 3.

6. Perused the records and the order dated 20th April 2026 passed in Criminal Bail Application Nos. 3559 of 2025 and 3600 of 2025.

7. As submitted by Mr. Amit Icham, learned Advocate for the Applicant and not contested by Dr. A. A. Takalkar, learned APP, the allegations against the Applicant are similar to those against Accused

Nos. 2 and 3 in Crime No. 41 of 2021. Accused Nos. 2 and 3, on the said set of facts, have been released on bail by this Court on 20th April 2026 (order at Exhibit C, page Nos. 232 to 237). No material has been placed on record to demonstrate any distinguishing circumstances that would warrant a different view in the case of the Applicant.

8. The Applicant was arrested on 25th April 2021. The Bail Application at Exhibit 186, filed by the Applicant in Special Case No. 43 of 2023, was rejected on 29th July 2026.

9. Considering the aforesaid circumstances, the Accused Nos. 2 and 3, against whom similar allegations are made, have been released on bail. The Applicant has been in jail for almost 5 years and 5 months. Continuing the Applicant's detention pending trial in Special Case No. 43 of 2023 is not necessary.

10. At this stage, Dr A. A. Takalkar, learned APP, states that in addition to other conditions, a stringent condition that the Applicant not enter the jurisdiction of Satara District pending the conclusion of the trial in Special Case No. 43 of 2023 be imposed on the Applicant.

11. Mr. Amit Icham, learned Advocate for the Applicant, on instructions from the Applicant, states that the Applicant shall not enter the jurisdiction of Satara District until the conclusion of the trial in Special Case No. 43 of 2023. Statement accepted.

12. In view of the above, this Bail Application is allowed on the following terms:

a) The Applicant shall be released on bail in Crime No. 41 of 2021 dated 1st March 2021 registered at Shirval Police Station, District Satara, upon furnishing a PR bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two sureties in the like amount, to the satisfaction of the Special Court, Wai, in Special Case No. 43 of 2023.

b) The Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that person from disclosing those facts to the Court or any police officer. Applicant shall not tamper with evidence in any manner.

c) The Applicant shall within three (3) days of his release provide the Investigating Officer at Shirval Police Station, District Satara, with his residential address and proof thereof, his contact number and must inform the Investigating Officer, of any changes to this information from time to time.

d) The Applicant shall appear before the Investigating Officer, Shirval Police Station, investigating Crime No. 41 of 2021, on the second Monday of each month from 10.00 a.m to 11.00 a.m., till

the conclusion of trial in Special Case No. 43 of 2023.

The Applicant shall regularly appear before the Special Court, Wai, in Special Case No. 43 of 2023, whenever the matter is fixed, unless specifically exempted. If the Applicant fails to appear before the Trial Court on the date fixed, it would be treated as a breach of condition and the Trial Court would be at liberty to pass appropriate orders.

e) Pending the trial of Special Case No. 43 of 2023, the Applicant shall not enter the territorial jurisdiction of District Satara except to appear before the Trial Court and attend before the investigating Officer.

13. Bail Application No.817 of 2026 is allowed and disposed of.

(ASHWIN D. BHOBE, J.)