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

CRIMINAL BAIL APPLICATION NO.869 OF 2026

Sunny Vijay Tapare … Applicant
V/s.
The State of Maharashtra & Ors … Respondents

Mr. Priyal Sarda a/w. Mr.Onkar Bajaj a/w. Mr. Abhishek Jare, Advocate for the Applicant.

Mr. Chandrakant D. Mali, APP for the Respondents.

CORAM : SHAILESH P. BRAHME, J.

DATED : 28 OCTOBER 2026

P.C.:

1. Heard both the sides.

2. Applicant is seeking enlargement on bail in offence bearing Crime No.0322 OF 2025 registered with Shirval Police Station, District Satara punishable under Sections 25,3 of the of the Arms Act, 1959 and Sections 3 (5), 109 of the Bhartiya Nyaya Sanhita, 2023.

3. The applicant is arrested on 30/09/2025. The charge-sheet is filed on 13/12/2025 against 7 persons. He is accused No.5.

4. The learned counsel for the applicant submits that no incriminating role is attributed to him in the incident in question. He is

falsely implicated due to the previous rivalry. The criminal antecedents are fairly disclosed by him, but those are not the impediments. A plea of parity is pressed into service citing order of bail passed in case of Rohan, who is accused No.6.

5. The application is contested by learned APP mainly on the ground that the firearm was purchased by the applicant and financial transaction has been traced. The Applicant is the member of the gang which had intention to commit murder. They had conspired to kill him. The Applicant is history-sheeter. His enlargement is dangerous to the society. There was previous rivalry between the victim and the applicant.

6. It is reported to the police that there was previous rivalry between the informant and his friend on one hand and accused on the other hand. They wanted to take revenge of murder of Pratik Vijay Chavan. There used to be tussle between the members of the rival groups. The incident took place on 16/09/2025 in the evening when the co-accused arrived there on vehicles. It is alleged that co-accused Akshay shot at him from pistol which hit him on his right arm. Another shot was missed by him. The informant ran away and was subsequently admitted to the hospital.

7. Now, my attention is adverted to the medico-legal certificate disclosing simple injuries on the right forearm and back of the

informant. The medical certificate prima facie does not corroborate the prosecution case. The incident took place due to previous rivalry between members of two groups. No specific role is attributed to the applicant except for his presence at the relevant time, though overt act is alleged against co-accused Akshay and Sai Dhumal.

8. I have gone through order passed in case of accused No.6-Rohan, releasing him on bail. But Rohan was not present at the relevant time. The learned APP is right in contending that benefit of parity cannot be given.

9. To make out case of conspiracy, my attention is adverted to panchanama prepared on 02/10/2025 and spot panchanama dated 04/10/2025. The statement of Vaishali Vijay Tapre is also relevant to show motive. The transcript of CCTV footage shows presence of the applicant. The circumstances and the documents pointed out by learned APP as referred above would be useful during the course of trial. It is also attempted to show that applicant tried to destroy the evidence.At this stage of the proceeding, I find that the material is not sufficient to deny the him bail.

10. I have gone through antecedents, which are four in number. I propose to impose strict condition so as to ensure that there would not be misuse of liberty. I find that further incarceration is not required. Hence, I the pass following order:

ORDER

(i) Bail Application is allowed.

(ii) The Applicant –Sunny Vijay Tapare shall be released on bail in connection with Crime No.0322 OF 2025 registered with Shirval Police Station, District Satara punishable under Sections 25,3 of the of the Arms Act, 1959 and Sections 3 (5), 109 of the Bhartiya Nyaya Sanhita, 2023 on furnishing P. R. bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or more solvent sureties of like amount on the following conditions :-

(a) The applicant shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicants shall furnish contact numbers of themselves or their close relative / friend to the Investigating Officer.

(c) The applicants shall not leave Satara district without prior permission of the Sessions Court.

(d) The applicants shall inform their whereabouts and contact numbers to the Investigating Officer.

(e) The applicant shall surrender their Aadhar Card and PAN Card to the Investigating Officer, if any.

(f) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(g) The applicant shall not enter the entire Shirval, till

conclusion of the trial report his whereabouts to the Investigating Officer.

(iii) Bail Application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)