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

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 876 OF 2026

Aman Samir Mulla ...Applicant
Versus
The State Of Maharashtra & Anr. ...Respondents

.....

Adv. Priyal Sarda (through V.C.) a/w Adv. Onkar Bajaj and Adv. Abhishek J.,Advocate for Applicant.
Mr. Nitin B. Patil, learned APP for the Respondents-State.
Mr. Badane (PSI), Miraj City Police Station, Sangli, present.

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 27th OCTOBER, 2026.

P.C. :

Heard.

2. By this application, the applicant is seeking regular bail in connection with Crime No. 387 of 2025 registered with Miraj City Police Station, District Sangli for the offences punishable under Sections 111(2)(A), 103(1), 189, 190, 61(2), 238 of the of the Bhartiya Nyaya Sanhita, 2023 (for short "BNSS") and under Sections 135, 37(1),(3) of the Maharashtra Police Rules, 1951 and under Sections 4, 25 of Arms Act, 1959.

3. He is arrested on 27.03.2026. The Charge-Sheet is filed, he is

shown to be absconding.

4. Learned counsel for the applicant is relying upon order dated 19.10.2026 passed in case of co-accused - Suhel Jamir Tamboli enlarging him on bail. It is contended that no role is attributed to him. The First Information Report is silent. The involvement of the applicant is very remote. The main allegations are against the main perpetrator.

5. Learned APP appearing for the respondents – State submits that parity is not attracted because the applicant is seen to be in constant contact with co-accused, actively participated in hatching a conspiracy. In the memorandum panchanama, co-accused independently referred the applicant. The recovery has also been made at his instance. The applicant is absconding.

6. The First Information Report does not spell out the name of the applicant or his presence at the relevant time. In case of co-accused Suhel, who is released on bail by this Court vide order dated 19.10.2026, almost similar allegations are there. He was also alleged to have been conspired with other accused for committing murder. I find that order passed by this Court would enure to the benefit of the applicant to some extent.

7. Independently, I have considered the submissions of learned APP who showed me the memorandum panchanama of two distinct accused persons referring the applicant. I have my reservations for the probative

value of the statements of the panchanama and allegations against the applicant therein. I have also gone through CDR extracts of which is placed on record. Applicant appears to have been in contact with co-accused. That itself would not decide the culpability. The material needs to be tested during course of trial. *Prima facie*, I find that there is no direct material against the applicant to show that he was part of conspiracy and with the common intention committed the offence.

8. The applicant is behind the bars for sufficiently long time. He is entitled to be released on bail. I, therefore, pass the following order :

::ORDER::

(i) Bail Application is allowed.

(ii) The applicant shall be released on bail in Crime No. 387 of 2025 registered with Miraj City Police Station, District Sangli for the offences punishable under Sections 111(2)(A), 103(1), 189, 190, 103(1), 61(2), 238 of the of the Bhartiya Nyaya Sanhita, 2023 (for short "BNSS") and under Sections 135, 37(1),(3) of the Maharashtra Police Rules, 1951 and under Sections 4, 25 of Arms Act, 1959 on furnishing P. R. bond of Rs.30,000/- (Rupees thirty 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 applicant shall furnish contact numbers of himself and

his close relative / friend to the Investigating Officer.

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

(d) The applicant shall not move out of Sangli District without informing to the Investigating Officer.

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

(iii) Bail application is disposed of accordingly.

[SHAILESH P. BRAHME, J.]