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

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 903 OF 2026

Sagar Hindurao Naik ……Applicant

Versus

State of Maharashtra & Anr. ……Respondents

- *Mr. Ramanik Pawar a/w. Mr. Abhishek Shah, Mr. Amit Waykool, Mr. Dinesh Sonarlikar & Mr. Abid Sayyed i/b. Mr. Parvej N. Nadaf for Applicant.*
- *Dr. A.A. Takalkar, A.P.P. for the Respondents-State.*
- *Officer : ASI Prashant Mane, Kagal Police Station, Kolhapur, present.*

Coram : ASHWIN D. BHOBE, J.

Date : 15th October 2026.

PER COURT :

1. Heard Mr. Ramanik Pawar, learned Advocate for the Applicant and Dr. A.A. Takalkar, learned A.P.P. for the Respondents-State.

2. By the present Application, the Applicant seeks bail in connection with Crime No. 256 of 2017 dated 12th December 2017, registered with Kagal Police Station, District Kolhapur for the offences punishable under Sections 120-B, 506(2), 387, 364-A of the Indian Penal Code, 1860, which is now

registered as Special Case No. 141 of 2020 and is pending before the Sessions Court at Kolhapur.

3. The case of the prosecution is that, the accused in Crime No. 256 of 2017 are involved in the offence of abduction for ransom.

4. Mr. Ramanik Pawar, learned Advocate for the Applicant, submits that there are eight accused in the said crime and that the Applicant is accused No. 2.

5. Mr. Ramanik Pawar, learned Advocate for the Applicant, submits that Amol @ Arya Bhai Sambhaji Mohite (accused No. 1) who is the gang leader, is released on bail by this Court by order dated 5th March 2025, passed in Criminal Bail Application No. 4178 of 2024 (Exhibit 'D', page 533 of the paper-book). He submits that the accused Nos. 3 to 8 are released on bail by this Court. He relies upon the said orders, which are at Exhibits 'E' to 'I', at pages 537 to 556 of the paper-book.

6. By relying upon the said orders, Mr. Ramanik Powar, learned Advocate for the Applicant, submits that the co-accused are granted bail essentially on the ground of long incarceration. He, therefore, submits that the Applicant is entitled to bail on the grounds of parity, as the co-accused having similar and identical roles in Crime No. 256 of 2017 have been released on bail on the ground of long incarceration.

7. Perused the records.

8. The record placed in the file of this Application indicates that the Applicant was arrested on 31st December 2017. His bail application was rejected by the Trial Court on 28th May 2025.

9. Dr. A.A. Takalkar, learned A.P.P. for the Respondents-State, does not dispute the fact that accused Nos. 1 and 3 to 8 in Crime No. 256 of 2017 have been released on bail, as submitted by Mr. Ramanik Powar, learned Advocate for the Applicant. She submits that the examination of the prosecution witnesses in Special Case No. 141 of 2020 is complete. She submits that the accused persons are delaying the trial.

10. In response to the contention regarding delay, Mr. Ramanik Powar, learned Advocate for the Applicant submits that Applications filed by the accused persons seeking recall of witnesses are pending and that the accused persons are interested in early disposal of Special Case No. 141 of 2020.

11. A perusal of the orders granting bail to accused No. 1 and accused Nos. 3 to 8, placed at Exhibits 'D' to 'I', at pages 533 to 556, indicate that this Court, after considering the period of incarceration undergone by the said accused, found it to be a ground for granting bail. In substance, the said accused were released on bail on the grounds of long incarceration and denial of the right to a speedy trial.

12. The Applicant has been in custody for almost eight years and nine months from the date of his arrest. The trial in Special Case No. 141 of 2020 has still not concluded.

13. In view of the above, this Court is compelled to grant bail to the Applicant on the ground of his long incarceration. This Application is therefore allowed on the following terms.

(a) The Applicant be released on bail in Crime No.256 of 2017 registered at Kagal Police Station, District Kolhapur, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

(b) The Applicant shall attend the concerned police station twice in a month, i.e., on first & third Saturday between 11:00 am to 2:00 pm, till conclusion of the trial in Special Case No. 141 of 2020.

(c) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade such person/s from disclosing the facts to the Court or any police officer.

(d) The Applicant shall not tamper with evidence in any manner.

(e) The Applicant shall within three days of his release provide the Investigating Officer with his residential address along with proof, his contact numbers, email and must inform the Investigating Officer of any changes to this information from time to time.

(f) The Applicant shall regularly attend the trial in Special Case No. 141 of 2020, unless exempted.

(g) In the event of any default in complying with the conditions or misuse of the liberty granted to the Applicant, the prosecution shall be at liberty to seek cancellation of bail.

14. The Bail Application No. 903 of 2026 is allowed in aforesaid terms.

[ASHWIN D. BHOBE, J.]

OMKAR SHIVAHAR KUMBHAKARN
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