

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3727 OF 2025**

Aftab @ Mohsin Jamal Momin Applicant
Vs.
The State of Maharashtra Respondents

Mr. Vivek N. Arote (Through VC), for the Applicant.
Mr. Shrikant H. Yadav, APP, for the Respondent-State.
Mr. A. B. Chavan, PSI, Ichalkaranji Police Station is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 5th FEBRUARY 2026

PC.:-

1. The Applicant is arrested in Crime Registration No.135 of 2021 for the offences punishable under Sections 302, 307, 324, 504 and 506 read with Section 34 of the Indian Penal Code. The Applicant is claiming parity as the co-accused is released by Hon'ble Apex Court on the ground of long incarceration.
2. The counsel for Applicant has stated that the role played by this Applicant is similar. The Applicant is in jail since last 4 years and 10 months. The charge is framed on 15th October 2025. Since then no witness is examined and the trial is yet not initiated. Hence, prayed to release the accused on bail on the ground of parity.

3. The learned APP has opposed the application stating that though co-accused is released on bail on the ground of long incarceration, now the charge is framed and trial is initiated. Hence, prayed to reject the application.

4. Heard learned counsel appearing for both the parties.

5. The Applicant is in jail since last 4 years and 10 months. The trial is not initiated. The co-accused is already released on bail by the Hon'ble Apex Court. The ground of parity is available to this Applicant. Hence, his application is allowed on the following terms and conditions:

- i) The applicant, namely, Aftab Alias Mohsin Jamal Momin shall furnish personal bond of Rs.50,000/- with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;
- ii) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- iii) The applicant shall not obstruct or hamper the police

investigation and not to play mischief with the evidence collected or yet to be collected by the police;

- iv) The applicant shall not enter the territory of Ichalkaranji Police Station except to attend the trial.
- v) The applicant shall maintain law and order;
- vi) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;
- vii) The applicant shall regularly remain present during the trial, and cooperate with the learned trial court to complete the trial for the above offences.

(MRS. VRUSHALI V. JOSHI, J.)

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