

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 206 OF 2026

Samrat Subhash Korane
VERSUS
State Of Maharashtra And Anr

...
Advocate for Applicant : Mr. Pratik G. Tare i/b Mr. S. Y. Mane
APP for Respondent-State : Mr. A. S. Shalgaonkar
...

CORAM : SACHIN S. DESHMUKH, J.
Date : 24th March, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 136 of 2019 dated 09.04.2019 registered with Rajarampuri Police Station, Dist. Kolhapur for the offences punishable under sections 143, 147, 148, 395, 307, 353, 332, 155, 109, 324, 323 read with 149 of the Indian Penal Code, Sections 4 and 5 of the Bombay Prevention of Gambling Act, 1887, Section 65(e) of the Maharashtra Prohibition Act, 1949, Section 37(3), 135 of the Bombay Police Act and Section 3(1)(2), 3(2), 3(4), 3(5) of the Maharashtra Control of Organized Crime Act.

2. The prosecution alleges that on 08.04.2019, acting

upon secret information, the police conducted a raid on a residence where several co-accused were reportedly engaged in playing Matka. During the course of the search operations, the accused persons allegedly launched an assault on the police team using fist and kick blows. It is further contended that certain co-accused forcibly snatched a pistol from the police officers and pointed the weapon at them.

3. The learned counsel for the applicant submits that the applicant's name was absent from the initial FIR and was only subsequently arrayed based on statements of witnesses recorded by the Investigating Officer. Following his arrest on 07.02.2025, the applicant has remained in judicial custody while the investigation has reached its conclusion with the filing of the charge-sheet. Out of the 47 accused persons in relation to the alleged crime every co-accused, except for the present applicant has already been released on bail. Consequently, it is contended that the applicant is entitled to be released on bail on the ground of parity, and the counsel prays for the application to be allowed.

4. Learned APP has opposed the application submitting that the applicant is indulged into serious offence. If the applicant

is enlarged on bail, there is every possibility of repetition of offence. As such, prayed to reject the application.

5. Upon considering the submissions of both the sides and perusing the material on record, it is an admitted position that the applicant's name did not surface in the initial FIR dated 08.04.2019 and was only subsequently arrayed based on statements recorded during the investigation at later stage. Furthermore, the investigation is complete with the filing of the charge-sheet, and the applicant has been in continuous custody since 07.02.2025, indicating that further detention of applicant is no longer required for interrogation.

6. In all 47 accused persons involved in this crime, all other co-accused have already been released on bail by various orders. In the interest of justice and maintaining the principle of parity, there exists no justifiable ground to treat the present applicant differently, especially when his alleged role prima facie appears secondary to those who have already been granted liberty.

7. Considering that the trial is likely to take considerable time and in absence of specific allegations against the applicant, the continued incarceration of the applicant would be

disproportionate. Accordingly, the applicant is entitled to be released on bail. The learned APP's apprehension about repetition of same offence can be adequately taken care of by imposing stringent conditions.

8. Resultantly, the following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Samrat Subhash Korane be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 136 of 2019 dated 09.04.2019 registered with Rajarampuri Police Station, Dist. Kolhapur for the offences punishable under sections 143, 147, 148, 395, 307, 353, 332, 155, 109, 324, 323 read with 149 of the Indian Penal Code, Sections 4 and 5 of the Bombay Prevention of Gambling Act, 1887, Section 65(e) of the Maharashtra Prohibition Act, 1949, Section 37(3), 135 of the Bombay Police Act and Section 3(1)(2), 3(2), 3(4), 3(5) of the Maharashtra Control of Organized Crime Act, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court, unless exempted by the Trial Court.

- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi