

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

CRIMINAL BAIL APPLN. NO. 305 OF 2026

Abhishek Irrappa Terne
VERSUS
The State Of Maharashtra

Mr. Gaurav Kalekar a/w Mr. Sagar Kale Advocate for Applicant
Dr. Ashwini A. Takalkar APP for the State

CORAM : SACHIN S. DESHMUKH, J.
DATE : 4th MAY 2026.

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 577/2021 registered with Shivajinagar Police Station, Ichalkaranji District Kolhapur for offences punishable under Sections 306, 386, 395, 504, 506 of the Indian Penal Code read with Section 3(1)(ii), 3(2) and 3(4) of The Maharashtra Control of Organised Crime Act, 1999 ('MCOC Act').

2. Learned counsel for the Applicant submits that the Applicant is falsely implicated in the crime. The co-accused are released on bail by this Court vide order dated 24/03/2026 in Cri. Bail Application No. 171/2026 and Cri. Bail Application No. 188/2026. The offence under Section 306 of the Indian Penal Code is not made

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out against the Applicant. The Applicant is in custody for more than four years and the trial is likely to take a considerable time. Hence, prayed to allow the Application.

3. Learned APP has opposed the Application submitting that the Applicant is a member of crime syndicate and the provisions of MCOC are attracted against him. Given the criminal antecedents, prayed to reject the Application.

4. Having heard the submissions from both the sides and upon perusal of the record including charge-sheet, *prima facie* indicates that there appears to be absence of any element of abetment at the instance of the Applicant for compelling the deceased to commit suicide. The age of the Applicant is only 27 years and has been in custody for more than four years.

5. Further perusal of the record indicates that the co-accused are released on bail by this Court vide order dated 24/03/2026 in Cri. Bail Application No. 171/2026 and Cri. Bail Application No. 188/2026 and vide order dated 03/11/2025 in Cri. Bail Application No. 3407/2025. As such, given the role of the Applicant, being similar to that of the co-accused released on bail, is entitled for

parity.

6. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution proposes to examine, the trial is unlikely to conclude within a reasonable period.

7. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Abhishek Irrappa Terne be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 577/2021 registered with Shivajinagar Police Station, Ichalkaranji District Kolhapur for offences punishable under Sections 306, 386, 395, 504, 506 of the Indian Penal Code read with Section 3(1)(ii), 3(2) and 3(4) of The Maharashtra Control of Organised Crime Act, 1999, on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicant shall not enter into Kolhapur District till conclusion of trial except to attend the trial.

(c) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(d) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.

(e) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

8. Needless to state 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.]