

Priya Soparkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL (ST.) NO. 19701 OF 2025
WITH
INTERIM APPLICATION NO. 3622 OF 2025
IN
CRIMINAL APPEAL (ST.) NO. 19701 OF 2025

Mangesh Shivaji Katkar

...Appellant/
Applicant

Versus

State of Maharashtra and anr.

...Respondents

Mr. Aniket Vagal with Mr. Sanket Salunkhe and Ms. Savvy Kolhekar
and Ms. Juhi Kadu, for the Appellant/Applicant.

Mr. R. M. Pethe, APP, for the State.

Ms. Komal Sinha, for the Respondent No.2.

Mr. Balaji C. Losarwar, PS, Kamshet, Pune Rural is present.

CORAM: R. M. JOSHI, J.

DATED: 14th JANUARY, 2026.

PC:-

1. This appeal takes exception to the order passed by the Trial Court in Session Special Case No.21 of 2025, whereby the application for regular bail filed by the Appellant came to be rejected.

2. Learned counsel for the Appellant submits that apart from the fact that there is no specific evidence in the charge-sheet showing involvement of the Appellant in this crime, other co-

accused have been granted bail by this Court as well as by the Trial Court. In this regard, learned counsel drew attention of this Court on the order dated 20th September 2025 in Criminal Appeal (St.) No. 14693 of 2025. According to him, having regard to the facts of the case, parity applies. He further claims that Appellant has no criminal history and is not likely to flee.

3. Learned APP as well as learned counsel for the Respondent No. 2 opposed the Application on the ground that the offence is serious in nature and there are statements of eye-witnesses indicating involvement of the Appellant in this crime. In this regard, reference is made to statements of Sunil, Rohit and Arjun. It is argued that the fact that co-accused are granted bail by this Court itself does not become a ground for enlargement of Appellant on bail.

4. Learned APP and learned counsel for the Respondent No. 2 apprehend that after on enlargement on bail, Appellant would not appear before the Trial Court and all attempts would be made to delay the trial.

5. There is no dispute about the fact that the Appellant has not been named. Apart from this, the statements of Sunil, Rohit and Arjun indicate that similar role is attributed to the Appellant and co-accused Sagar who is enlarged on bail by order dated 20th September, 2025. There is nothing on record to indicate that granting bail to the co-accused is not challenged before the Hon'ble Supreme Court. Having regard to the fact that Appellant has not criminal history, this Court find no justification to reject the Appeal and grant bail. Hence, the following order:-

ORDER

- (i) Appeal stands allowed.
 - (ii) Impugned order is set aside.
 - (iii) The Applicant be enlarged on bail on furnishing P.R. bond in a sum of Rs.25,000/- (Twenty five thousand rupees) with one surety in the like amount.
 - (iv) Appellant shall not enter in the jurisdiction of Vadgaon till conclusion of the trial.
 - (v) Appellant not to interfere in the evidence of witnesses in any manner whatsoever.
 - (vi) Appellant is directed to appear before the Trial Court on each date of hearing except exemption is granted by the Trial Court by passing order in that regard.
 - (vii) Absence of the Appellant on the date of hearing before Trial Court shall result in forthwith cancellation of his bail.
6. The Appeal stands allowed in above terms.
7. In view of the disposal of Appeal, the Interim Application also stands disposed of.

(R. M. JOSHI, J.)