

S .S. Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 794 OF 2026**

Kiran Dnyandev Kale	...	Applicant
Versus		
The State Of Maharashtra	...	Respondent

Mr. Vipul V. Dushing a/w. Mr. Tanmay Kate, Mr. Ashraf Kazi, Mr. Prajyot Shinde, Mr. Govind Mundhe i/b. Mr. Akshay Badave, Advocates for Applicant.

Ms. Gauri Rao, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 1149 of 2018 registered with Wakad Police Station, for the offences punishable under Sections 307, 395, 397 r/w. 34 of Indian Penal Code, 1860 (for short "IPC"), Section 3(25) of the Arms Act, 1959 and Section 37(1) r/w. Section 135 of the Maharashtra Police Act.

2. It is prosecution's case that the applicant and co-accused tried to rob the first informant and co-accused by firing at first informant with intention to kill him.

3. It is contention of learned counsel for the applicant that role attributed to the applicant is that he was sitting on back seat of the first informant's car, when the alleged incident occurred. The co-accused,

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having similar allegations like applicant, has been released on bail. Hence, the applicant is entitled for bail on principle of parity. The applicant is behind bars for one year and ten months and requested to allow the application.

4. It is contention of learned APP that at the time of incident, applicant was present. It shows involvement of the applicant in the present crime. It is further submitted that co-accused fired a shot and the bullet hit in the thigh of the first informant. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The co-accused having similar allegations like applicant, has been released on bail, hence the applicant is entitled for bail on principle of parity. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 1149 of 2018 registered with Wakad Police Station, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.

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- ii. The applicant shall attend the concerned police station as and when required.
 - iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)