



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1014 OF 2023

JAY @ MARUTI WALMIK GHORPADE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Aniket Vagal a/w. Adv. Kunal Pednekar, Adv. Divesh Mehani for the applicant.

Ms. Veera Shinde, APP for the State.

API Rakesh Bhamare, Upnagar Police Station, Nashik.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 24, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 302, 395, 397, 143, 147, 148, 149, 120-B, 201 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 3(1)(ii), 3(2), 3(3), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (hereafter 'MCOCA', for short), registered vide C.R. No.555/2020 with Upnagar Police Station, Nashik.

3. My attention is invited to the order dated 20/10/2022

passed in Criminal Bail Application No. 191 of 2022 and Criminal Bail Application No.3090 of 2021 in respect of the co-accused Akshay Rajendra Parache and Harsh Kishor Babu. My attention is also invited to the order 11/8/2022 in Bail Application No.3804 of 2021 in respect of the co-accused Shiban Shafi Shaikh.

4. The role of the present applicant is similar and in any case not more than what is assigned to the accused referred to herein above. The observations in respect of the aforesaid accused while releasing them on bail will equally apply to the present applicant. However, learned APP is justified in contending that looking at the C.Rs. registered against the applicant which are reproduced herein below, stringent conditions need to be imposed on the applicant while enlarging him on bail.

Sr.No.	Police Station	C.R.No. & Sections	Status
1	Upnagar	C.R.No.555/2020 u/scs.302, 395, 397, 143, 147, 148, 149, 120-B, 201 of IPC r/w. Secs. 3(25), 4(25) of Arms Act, r/w.sec.135 of Maharashtra Police Act, r/w.secs.3(1)(i)(ii), 3(2), 3(3) and 3(4) of MCOC Act.	Spl. Case No.169/21.
2	Upnagar	CR No.75/2019 u/scs.461, 380, 34	Juvenile
3	Upnagar	CR No.331/2019 u/scs.354	Juvenile

4	Upnagar	CR No.490/2019 u/scs.394, 34	Juvenile
5	Upnagar	CR No.516/2019 u/scs.376	Juvenile
6	Upnagar	CR No.670/2019 u/scs.307, 326	Juvenile
7	Upnagar	CR No.696/2019 u/scs.307, 143, etc.	Juvenile
8	Upnagar	CR No.322/2020 u/scs.307, 452, 143, etc.	Juvenile

5. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Jay @ Maruti Walmik Ghorpade in connection with C.R. No. C.R. No.555/2020 with Upnagar Police Station, Nashik, shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.

(c) The applicant shall report Upnagar Police Station, Nashik, once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order.

(d) The applicant shall not tamper with the evidence or give threat or inducement to any of the prosecution witnesses.

(e) The applicant shall not contact any of the co-accused and indulge in the activities identical to the

one for which he has been arraigned in this case.

(f) The applicant shall attend trial Court regularly on the date of hearing of the case unless exempted by the Court for some reason.

(g) The applicant shall not enter the area of Nashik District till the conclusion of the trial except with the leave of the trial Court and for the purpose of reporting to the investigating officer.

(h) The applicant shall furnish the address of his place of residence and contact details while residing outside Nashik District to the investigating officer.

(i) The applicant shall report to the nearest police station to his residence while residing outside Nashik District twice a month on the first and third Monday of the month.

6. The application is disposed of.

(M. S. KARNIK, J.)