

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 2131 OF 2022**

Shubham Raju Patil

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Satyam Nimbalkar a/w Mr. Abhishek Arote a/w Mr. Ashish Kachole  
and Mr. Omkar Chitale for the Applicant.

Mr. Amit Palkar, APP for the State.

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**CORAM : N.R. BORKAR, J.**

**DATED : 28 APRIL 2023**

**P.C. :-**

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 107 of 2021 registered at Ambad Police Station, Nashik for the offences punishable under Sections 394, 395, 341, 427, 323, 201, 212, 506 r/w 34 of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(3), 3(4) of the Maharashtra Control of Organized Crimes Act, 1999.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. According to the prosecution, on the date of incident, which took place on 21 March 2021, the present applicant and other co-accused

robbed the complainant of cash amount of Rs. 5700/- while he was coming to Bhiwandi, by truck bearing registration No. NL-01-AC-1063. During the course of investigation, the alleged crime was found to be committed by the organised crime syndicate formed by Arjun Pardeshi. According to the prosecution, the present applicant and other co-accused are members of the said organised crime syndicate.

5. The learned counsel for the applicant has placed on record the copy of order passed by the Special Court dated 18 June 2023 below Exhibit 26, so also the copy of order dated 15 December 2021 below Exhibit-7 in Special (MCOCA) Case No. 271 of 2021. By the said orders, the Special Court has released the gang leader Arjun Pardeshi and co-accused Mayur Pachore on bail.

6. The learned APP submits that the applicant is involved in five more crimes. It is submitted that the complainant has identified the applicant in the test identification parade. It is further submitted the present applicant assaulted the complainant by knife. The learned APP submits that considering the nature of offence, the applicant may not be released on bail.

7. The applicant is in jail for more than two years. The Special Court has released gang leader and other co-accused on bail. Considering overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant be released on bail in Crime No. 107 of 2021 registered at Ambad Police Station, Nashik for the offences punishable under Sections 394, 395, 341, 427, 323, 201, 212, 506 r/w 34 of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(3), 3(4) of the Maharashtra Control of Organized Crimes Act, 1999 on furnishing P. R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

( N.R. BORKAR, J. )