



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

BAIL APPLICATION NO.1720 OF 2023

SHEKHAR TANAJI GUJALE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Abhijeet Randive for the applicant.

Ms. Veera Shinde, APP for the State.

Ashwini Shendage, SDPO Dahiwadi, District Satara.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 1, 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 394, 397 read with 34 of the Indian Penal Code and Sections 27, 3(23), 3(1) and 4 of the Arms Act and Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999, registered on 07/03/2016 vide C.R. No.53 of 2016 with Vaduj Police Station., District Satara

3. The applicant was arrested on 08/03/2016. The date

of the offence is 06/03/2016. It is alleged that 4 unknown accused persons put a gun on the head of the complainant, beat him and robbed the amount of Rs.15,200/-. An attempt was made to snatch a bag containing an amount of Rs.2,25,000/-from the complainant. From the statement of one Rajendra Nidan, who is the driver of a pick-up truck, it is seen that the accused had assaulted him.

4. Learned APP opposed the application. Learned APP tenders an affidavit which is taken on record. I have gone through the affidavit filed by the learned APP.

5. There is no dispute that the accused Nos. 1, 2 and 4 are enlarged on bail. The gang leader Sagar Pandurang Bhilare vide order dated 20/01/2022 has been released on bail by this Court. The applicant is seeking parity with accused Nos. 1, 2 and 4. The role of the applicant is not more than any of the accused who have been enlarged on bail. It is the first offence which has been registered against the applicant and there are no offences in common with the gang leader. In this view of the matter, the applicant can be enlarged on bail.

6. The applicant is in custody for more than 7 years with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Shekhar Tanaji Gujale in connection with C.R. No. 53 of 2016 registered with Vaduj Police Station 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 attend the Investigating Officer of Vaduj police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to

the Investigating Officer and shall keep him updated,
in case there is any change.

7. The application is disposed of.

(M. S. KARNIK, J.)