



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1963 OF 2025

PARAS TARACHAND GHARU
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Chaitanya C. Deshpande
APP for Respondent : Mr. R. D. Raut

...
AND
BAIL APPLICATION NO. 1887 OF 2025

VILAS SHAMRAO GOYAR @ CHOTA PAPA
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent : Mr. Rajdeep D. Raut

...
CORAM : SACHIN S. DESHMUKH, J.
DATE : 17-12-2025

PER COURT:-

1. Heard learned counsel for the applicants and the learned APP for the respondent.
2. The applicants seek regular bail in connection with Crime No.0150/2017 dated 18.07.2017 registered with Dhule City Police Station, District Dhule, for the offences punishable under Sections 302, 120-B, 143, 147, 148, 149, 212, 201, 504, 506 of the Indian Penal Code and under Sections 3/25, 4/25 and 7/27 of the Arms Act and under Sections 3(1)(i), 3(1)(ii), 3(2), 3(3) & 3(4) of the Maharashtra Control of Organised Crime Act, 1999. In connection with the crime, the applicants were arrested on 29.07.2017.

3. The learned counsel for the applicant submits that in second successive bail application bearing BA/2099/2024, filed by the co-accused Vijay Shamrao Goyar @ Bada Papa, whose alleged role is exactly identical to the role of the present applicant has been granted bail by this court. This court at paragraph no.13, observed as under:

“13. Perused the charge sheet. On perusal of the charge sheet, it appears that the applicant's name is mentioned in the F.I.R. That he assaulted Guddya by sword. No any other witness has stated that this applicant has assaulted Guddya by sword. It appears that the said sword is not seized at the instance of the present applicant. The C.A. report which is filed on record shows that the applicant is similar person, who is seen in the CCTV footage. In the CCTV footage twin brothers Vilas Shamrao @ Chhota Papa is found with Pistol. When the investigating officer, who was present in the court, was questioned, he could not point out as to where is this applicant holding the sword and assaulted Guddya. It is surprising to note that generally description of the CCTV footage as well as confronting the CCTV footage to the witnesses for asking as to who are appearing in the CCTV footage is part and parcel of the investigation. In this case, details of the CCTV footage panchanama is not drawn. Learned counsel for the applicant therefore, rightly pointed out that the applicant is falsely implicated in the said case. This aspect was not pointed out while earlier application for bail was argued and decided. The C.A. report is not yet filed in the trial court. It was filed before this court yesterday during the course of hearing of this application. About which no any decision was taken while refusing bail by this court. This is certainly a change in circumstance. Further the trial is proceeding with snail's speed and it will to take years together if it is going with such a speed. The directions of this court are not followed by the Special Sessions Judge.”

4. The learned counsel for the applicant submits that the applicant is identically situated. It is noted that there are in all 91 witnesses and the trial is not progressing. The applicant is in jail

for a period of about 8 years and there is no possibility of the trial being concluded in near future.

5. The learned A.P.P. has opposed the application. When confronted with the progress in the trial, the same could not be demonstrated. However, with regard to the orders in BA/2099/22024 and BA/531/2025 of this Court, the learned A.P.P. has conceded the same.

6. Considering these afore-stated aspects of the matter and that the order dated 17.01.2025 passed in BA/2099/22024 and the order dated 23.06.2025 passed in BA/531/2025, this Court would be constrained to grant bail to the present applicants on the ground of parity.

7. However, it is made clear that in case the order dated 17.01.2025, passed in in BA/2099/2024 is set aside at any time in future, it would be open for the prosecution to file an appropriate application to recall the order.

8. The present bail applications are allowed on the same terms and conditions as noted in the order dated 17.01.2025, passed in Bail Application No.2099 of 2024.

[SACHIN S. DESHMUKH, J.]

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