

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3317 OF 2025

Bhaiya Shakil Shaikh ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Firoz N. Maner a/w Ms. Anjum Maner for the Applicant.

Mr. S. H. Yadav, APP for the Respondent-State.

Mr. Veersen B. Patil (PSI), Pandharpur Rural Police Station, present.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 22nd SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.47 of 2025 registered with Pandharpur Gramin Police Station, District Solapur for the offences punishable under Sections 309(6) & 310(2) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”).

2. It is prosecution’s case that on 17th February, 2025 at around 3:00 a.m., four unknown persons made robbery in the house of first informant and robbed gold ornaments and cash amount. In investigation it revealed that the applicant and co-accused had made robbery.

3. It is contention of learned counsel for applicant that applicant is behind bar for more than six months. There is no allegations against the applicant. The applicant has been arrested on the basis of suspicion. There is no recovery of gold ornaments at the instance of applicant. Yet charge has not been framed. Hence, requested to allow the application.

4. It is contention of learned APP that applicant and co-accused robbed the house of first informant and robbed the gold ornaments and cash amount. The amount of Rs.80,000/- is recovered at the instance of applicant. The applicant has one antecedent. If applicant is released on bail, he may abscond or commit other offences. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the FIR and documents produced on record. The applicant has been arrested on the basis of suspicion. Whether the applicant robbed the gold ornaments or not and amount recovered at the instance of applicant is part of trial. The applicant is behind bar for six months. Yet charge has not been framed. Considering these facts, his further detention is not required.

6. In view of the above, I pass the following order :

ORDER

- (i) Application is allowed;
- (ii) The applicant be enlarged on bail in Crime No.47 of 2025 registered with Pandharpur Gramin Police Station, District Solapur, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station as and when required;
- (iv) Applicant shall attend the Trial Court dates, regularly.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. 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.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)