IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4510 of 2025
in
CRIMINAL APPEAL NO. 1201 OF 2025

Bipin Sohanlal Bafna … Applicant/ Appellant

versus

The State of Maharashtra …. Respondent

INTERIM APPLICATION NO. 4657 of 2025
in
CRIMINAL APPEAL NO. 1248 OF 2025

Mubin Sagir Shaikh … Applicant/ Appellant

versus

The State of Maharashtra …. Respondent

INTERIM APPLICATION NO. 4725 OF 2025
IN
CRIMINAL APPEAL NO. 1265 OF 2025

1. Pradip @ Bablu Laxman Patil
2. Samip Bhagwan Patil
3. Sunny Sunil Patil

… Applicants/ Appellants

versus

The State of Maharashtra …. Respondent

Mr. Nitin Sejpal i/b. Mr. Siddharth Gharat, Advocate for the Applicant/Appellant in Interim Application No.4510 of 2025.
Mr. Santosh Deshpande, Advocate for the Applicant/Appellant in Interim Application No.4657 of 2025.
Mr. Kuldeep Patil along with Mr. Anay S.Joshi i/b. Ms. Saili Dhuru, Advocate for the Applicant in Interim Application No.4725 of 2025.

SHUBHADA SHANKAR KADAM

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Date: 2025.12.24 19:09:42 +0530

CORAM : R. M. JOSHI, J.

DATE : 24th DECEMBER, 2025.

P.C.:

1. These applications are for suspension of substantive sentence and enlargement of the applicants/appellants on bail in connection with the impugned judgment and order dated 29th November 2025 passed in Special M.C.O.C. Act Case No.1 of 2016

2. Learned counsel for the applicants/appellants submit that the appellants are handed over with short term sentence of imprisonment of 4 years with fine. It is claimed that the appellants have undergone the actual sentence for the period ranging from 1 year and 6 months to 3 years. It is their contention that the appeals are not likely to be heard in short period of time and as result of which, the appeals would become infructuous if the appellants are not granted bail.

3. Learned counsel for the appellants except for the appellant - Pradip @ Bablu Laxman Patil in Criminal Appeal No.1265 of 2025, claims that other appellants have no criminal history behind them and they are not likely to flee from justice. In so far as appellant – Pradip @ Bablu Laxman Patil is concerned, learned counsel for this appellant contends that out of 4 years of imprisonment, this appellant has undergone actual sentence of 3 years.

4. Learned APP opposed the application by contending that having regard to the nature of the offence and considering the fact that there are criminal antecedents against one of the appellant, it is not a fit case for their enlargement on bail.

5. The appellants are sentenced to suffer 4-5 years imprisonment. Except for Pradip @ Bablu Laxman Patil, appellant No.1 in Criminal Appeal No.1265 of 2025, other appellants do not have any criminal history behind them. In so far as appellant-Pradip @ Bablu Laxman Patil is concerned, out of 4 years of sentence, he has already undergone 3 years in jail. Since, the appeals are not likely to be heard in short period of time, the appeals would become infructuous if they are not enlarged on jail. Hence, the following order ;

O R D E R

1. The applications are allowed.
2. The substantive sentence imposed against the appellants by impugned judgment and order dated 29th November 2025 passed in Special M.C.O.C. Act Case No.1 of 2016 stands suspended till the decision of appeal.
3. The appellants be enlarged on bail on furnishing P.R.Bond of Rs.15,000/- each with one solvent surety in the like amount to the satisfaction of the Trial Court.

The interim application stands disposed of in above terms.

6. It is clarified that above observations are made on prima facie consideration of the material on record and the same shall not bind the parties during the final hearing of the appeals.

(R. M. JOSHI, J.)