

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

BAIL APPLICATION NO. 2839 OF 2024

Chetan Balu Jadhav	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Satyavrat Joshi a/w Ms. Shivani Kondekar, Advocate for the Applicant.

Mr. Tanveer Khan, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	03rd February, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.258 of 2023 registered at Wanwadi Police Station, Dist-Pune, for the offences punishable under Sections 307, 120-B, 212, 108, 109, 201 read with Section 34 of Indian Penal Code, Section 3(25) of Arms Act, Section 37 (1) (3) r/w 135 of Maharashtra Police Act, Section 7 of Criminal Law Amendment Act and Section 3 (1) (ii), 3 (2), 3 (4) of Maharashtra Control of Organized Crime Act.
3. According to the Prosecution, the present applicant is

a member of organized crime syndicate. There was a dispute between the injured and gang leader Yesh Sasane. The incident took place on 05-06-2023. According to the prosecution, on the date of incident, the injured and his friends were going on motorcycle towards Gulamali Nagar. It is alleged that when they were near Jamjam Hotel, the present applicant and the gang leader came from their behind on the motorcycle and the gang leader had fired two gun shots at the injured out of which one hit on his stomach.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. Learned counsel for the applicant submits that the applicant has nothing to do with alleged organized crime syndicate of the co-accused Yesh Sasane. It is submitted that the applicant is not involved in any other crime with the gang leader. It is submitted that there is nothing to show that the present applicant was aware that the co-accused Yesh Sasane was carrying gun with him. It is further submitted that the applicant is aged about 21 years old and there are no criminal antecedents. It is submitted that the applicant is in jail for one

and half year and trial has not commenced. It is submitted that considering the overall facts and circumstances, the applicant may be released on bail.

6. On the other hand, learned A.P.P. for the Respondent-State submits that at the time of incident, the present applicant was with the gang leader. It is submitted that the present applicant was riding motorcycle and the gang leader was pillion rider. It is submitted that the present applicant was aware about the plan of the gang leader and there are statements of the witnesses to that effect. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of the witnesses more particularly witness Danish maniyar. His statement shows that the applicant was aware about the plan of the gang leader. The injured has luckily survived. Considering the nature of offence, I am not inclined to release the applicant on bail. The application is rejected. The Trial Court shall, however, endeavour to conclude the trial expeditiously.

(N. R. BORKAR, J.)