

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

CRIMINAL BAIL APPLICATION NO. 3065 OF 2024

Ganesh Timma Dhotre

...Applicant

VERSUS

The State of Maharashtra

...Respondent

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Mr. Priyal G. Sarda a/w Mr. Abhishek Jare, Ms. Seema S. Dighe, Mr. Shubham Sane, Mr. Rajesh Ranglani, Advocate for the Applicant.

Mr. V. B. Konde-Deshmukh, Addl. PP for the Respondent – State.

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CORAM : N. R. BORKAR, J.

DATE : 3rd JANUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 43 of 2020 registered at MIDC Bhosari Police Station, Pune for the offences punishable under sections 394, 397, 323, 427, 504, 506 of the Indian Penal Code, under Section 3(25)(27), 4(25) of the Arms Act, under Section 37(1)(3) read with 135 of the Maharashtra Police Act and under Section 3(1)(ii), 3(4) of Maharashtra Control of Organized Crimes Act, 1999 (for short “MCOC Act”).
3. According to the prosecution, the present applicant and other co-accused are the members of an organised crime syndicate.

It is alleged that on the date of incident, which took place on 04-02-2020 the present applicant and other co-accused came to the house of complainant and that co-accused Dyneshwar was armed with pistol. It is alleged that they snatched gold chain which was on the person of the complainant and threatened to kill him.

4. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the order passed by the learned Special Judge (MCOCA) Pune, dated 29.08.2024 below Exhibit-74 in Special MCOCA Case No. 425 of 2020. By the said order the learned Special Court has released co-accused Mallesh Kolvi on bail.

5. I have perused the statement of complainant. The allegations against the present applicant and co-accused Mallesh Kolvi are identical. Even otherwise, the applicant is in jail for approximately five years, in that view of the matter, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 43 of 2020 registered at MIDC Bhosari Police Station, Pune for the offences punishable under sections 394, 397, 323, 427, 504, 506 of the Indian

Penal Code, under Section 3(25) (27), 4(25) of the Arms Act, under Section 37(1)(3) read with 135 of the Maharashtra Police Act and under Section 3(1)(ii), 3(4) of MCOC Act on executing PR. 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 twice in a month i.e. on first and third Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

(vi) The applicant shall not commit any offence, while on bail.

(v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)