

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

BAIL APPLICATION NO. 3522 OF 2024

Ayush @ Buntia Nagesh Landge	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mrs. Shubhangi Parulekar, Advocate for the Applicant.

Ms. G. P. Mulekar, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	28th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.751 of 2023 registered at Chatushrungi Police Station, Pune City, District : Pune for the offences punishable under Sections 307, 323, 141, 143, 144, 147, 148, 149 of the Indian Penal Code, Section 37(1) (3) read with Section 135 of the Maharashtra Police Act, Section 4(25) of the Arms Act and Sections 3(1) (ii), 3(2), 3(4) of the Maharashtra Control of Organized Crimes Act.

3. According to the prosecution, the present applicant is a member of organized crime syndicate formed by co-accused Sagar Chandane. It is alleged that on the date of incident which took place on 22.10.2023, the present applicant and other co-accused assaulted the complainant by sharp weapons and attempted to commit his murder, due to previous enmity.

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

5. The learned counsel for the applicant submits that the alleged eye-witnesses have not attributed any specific *overt-act* to the present applicant. It is submitted that though the present applicant is having one criminal antecedent for the offence punishable under Section 395 of the IPC, however, not with the alleged gang leader Sagar Chandane or with any of the members of said gang. It is submitted that the applicant is in jail for one year and trial has not commenced. It is submitted that the applicant may, therefore, be released on bail.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the applicant a member of

organized crime syndicate. 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 injured. He has not attributed any specific *overt-act* to the present applicant. The applicant is aged about 19 years and is in jail for one year. In absence of involvement of the applicant in any of crime either with the gang leader or members of the alleged gang, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

- (i) The Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.751 of 2023 registered at Chatushrungi Police Station, Pune City, District : Pune for the offences punishable under Sections 307, 323, 141, 143, 144, 147, 148, 149 of the Indian Penal Code, Section 37(1) (3) read with Section 135 of the Maharashtra Police Act, Section 4(25) of the Arms Act and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crimes Act on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the

corporation limits of Pune City, except to attend the dates before the Trial Court till conclusion of trial ;

(iv) The applicant shall attend the concerned Police Station in whose jurisdiction he is going to reside after his release once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

(v) The applicant shall submit his residential address and contact number, if any to the Chatushrungi Police Station.

(vi) The applicant shall not commit any other crime.

(vii) The Application stands disposed of accordingly.

(N. R. BORKAR, J.)