

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

CRIMINAL BAIL APPLICATION NO. 4587 OF 2024

Rishikesh @ Meghraj Pravin Shitole	...Applicant
Versus	
The State of Maharashtra	...Respondent

....

Mr. Shekhar Ingawale, Advocate for the Applicant.

Mr. Swapnil V. Walve, A.P.P for the Respondent – State.

Mr. Anil Navnath Binawade (PSI) Hadapsar Police Station, Pune City, present.

....

CORAM	:	N. R. BORKAR, J.
DATE	:	17th MARCH, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 495 of 2023 registered at Hadapsar Police Station, District :Pune, for the offences punishable under Sections 302, 307, 341, 504, 506, 323, 143, 144, 147, 148, 149 of the Indian Penal Code and Sections 4(25) of the Arms Act and under Sections 37(1) (3) r/w Sections 135, 142 of the Maharashtra Police Act and Sections 3(1)(i), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999.
3. According to the prosecution, the present applicant is a member of organised crime syndicate formed by co-accused Rajan Lawand. It is alleged that on the date of incident which

took place on 29.03.2023, the present applicant and other co-accused committed murder of the deceased, as the deceased was involved in the murder of the brother of one of the gang member i.e. co-accused Sagar Ghaitadak.

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 applicant has nothing to do with the alleged organised crime syndicate formed by co-accused Rajan Lawand. It is submitted that the statement of the alleged eye witnesses are not consistent. It is submitted that the applicant is in jail for about two years and there are no other criminal antecedents.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the eye witnesses have attributed specific overt act to the applicant. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. *Prima facie* there appears to be substance in the submission of the learned counsel for the applicant that the statements of the alleged eye witnesses are not consistent. Even otherwise the motive for alleged crime is not attributed to the present applicant. There are no other criminal antecedents against the present applicant. Considering the over all facts and circumstances, 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. 495 of 2023 registered at Hadapsar Police Station, District :Pune, for the offences punishable under Sections 302, 307, 341, 504, 506, 323, 143, 144, 147, 148, 149 of the Indian Penal Code and Sections 4(25) of the Arms Act and under Sections 37(1) (3) r/w Sections 135, 142 of the Maharashtra Police Act and Sections 3(1)(i), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999, on executing P.R. Bond in the sum of Rs.25,000/- 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;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)