

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

CRIMINAL BAIL APPLICATION NO. 4717 OF 2024

Ramdas @ Waghya Nanasaheb Marne ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Sudeep Pasbola Senior Advocate i/b Mr. Suhas R.,
Mr. Ayush Pasbola Mr. Shubham G., Mr. Rajan G., Adv. Mrunal
Bhide, Mr. Uttam Rathore Mr. R. Chauhan, Mr. Swaraj Sable,
Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 13.02.2025.

P.C.:

1. This is an application for bail.
2. The applicant came to be arrested in Crime No. 2 of 2024 registered at Kothrud Police Station, Dist-Pune for the offences punishable under Sections 302, 307, 120B, 201 r/w Section 34 of the Indian Penal Code and Sections 25 & 3 of the Arms Act and Sections 135, 37(1) & 37(3) of the Maharashtra Police Act and Sections 3(1)(i), 3(2) (3(4) of the Maharashtra Control of Organized Crime Act, 1999.
3. The deceased was gangster. According to the prosecution there was a rivalry between the gang of the deceased and the gang led by Ganesh Marne and Vitthal Shelar. It is alleged that due to said rivalry on 05/01/2024

the said Ganesh Marne and Vithhal Shelar along with their other members of their organised crime syndicate committed the murder of the deceased. According to the prosecution, the present applicant is a member of the said organised crime syndicate. It is alleged that the present applicant has provided financial assistance for the alleged crime.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that applicant has nothing to do with the organised crime syndicate allegedly formed by co-accused Ganesh Marne and Vitthal Shelar. It is submitted according to the witnesses the alleged rivalry was with co-accused Ganesh Marne and Vitthal Shelar. It is submitted that except statement of one witness on the point of alleged conspiracy there is no material to connect the applicant with the alleged crime.

6. On the other hand, the learned APP submits that applicant was in contact of co-accused Vitthal Shelar. It is submitted that they were found together after the alleged crime.

7. The learned APP further submits that the applicant is involved in eight more crimes of serious nature. It is submitted that considering the nature of offence the applicant may not be released on bail.

8. I have perused the statement of the witnesses. They have not stated anything about the applicant except one

witness who has stated about the involvement of the applicant in alleged conspiracy. However, the main allegations are against the co-accused Ganesh Marne and Vitthal Shelar. *Prima-facie* the incriminating material against the present applicant appears to be of very weak nature. In that view of the matter, I am inclined to release the applicant on bail, on certain conditions:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 2 of 2024 registered at Kothrud Police Station, Dist-Pune for the offences punishable under Sections 302, 307, 120B, 201 r/w Section 34 of the Indian Penal Code and Sections 25 & 3 of the Arms Act and Sections 135, 37(1) & 37(3) of the Maharashtra Police Act and Sections 3(1)(i), 3(2) (3(4) of the Maharashtra Control of Organized Crime Act, 1999, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of Pune district, except to attend the dates before the trial Court till conclusion of trial

D] The applicant shall stay at Satara and shall attend the Satara City Police Station twice in a month i.e on first & third Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

E] The applicant shall not commit any other crime.

F] The applicant shall submit residential

address and the mobile number to the Crime Branch Unit Pune City.

G] The applicant shall deposit his passport with the Crime Branch Unit Pune City.

H] The applicant shall not tamper with the prosecution evidence.

I] Liberty to file an application for cancellation of bail, if the applicant commits breach of any of the condition.

9. Application stands disposed of accordingly.

(N. R. BORKAR, J.)