

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

CRIMINAL BAIL APPLICATION NO. 4740 OF 2024

1. Pranay Sunil Pawar
2. Sourabh Manik Tayade ...Applicants

VERSUS

The State of Maharashtra ...Respondent

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Mr. Niranjan Bhavake i.b Mr. Sushant Tayade, 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 : 16.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicants came to be arrested in Crime No. 896 of 2023 registered at Kondhwa Police Station, Dist-Pune for the offences punishable under Sections 302, 363, 364, 120(B), 201, 326, 143, 147, 148, 149, 504 & 506 of the Indian Penal Code, under Section 142 of the Maharashtra Police Act, under Sections 3(1)(i), 3(2) & 3(4) of the Maharashtra Control of Organized Crime Act (MCOCA) and under Section 6, 3(1)(r), 3(2)(va), 3(2)(v) of the S.C.S.T Act.
3. According to the prosecution, the applicants are the

members of organized crime syndicate formed by the co-accused Mahadev Gajakosh. According to the prosecution, on the date of incident which took place on 03.09.2023 the present applicants and other co-accused abducted the deceased and committed his murder, as he was allegedly informing about the activities of the gang of the applicants to rival gang.

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

5. The learned counsel for the applicants submits that there is no material to connect the applicants with the alleged crime. It is submitted that the applicants have nothing to do with the alleged organised crime syndicate formed by co-accused Mahadev Gajakosh. It is further submitted that the applicants are aged about 19 years and there are no other criminal antecedents against them. It is thus submitted that the applicants may be released on bail.

6. On the other hand, the learned APP for the Respondent/State submits that the deceased was 16 years old. It is submitted that there is a witness who had seen the present applicants abducting the deceased. It is further submitted that there is a witness who had seen the deceased in injured condition and at that time, the applicants were with him. The learned APP submits that there are other incriminating circumstances to connect the present applicants with the crime. It is submitted that considering the nature of offence the applicants may not

be released on bail.

7. I have perused the statement of witness Pradip Bhalke and witness Adesh Kawade. The involvement of the applicants in the present crime is apparent from their statements. Considering the nature of crime, I am not inclined to release the applicants on bail. The Application is rejected.

(N. R. BORKAR, J.)