

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

CRIMINAL BAIL APPLICATION NO. 40 OF 2025

Mayur Mahadev Salunkhe ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Niranjana Bhavake a/w Ms. Drishti Madhani, Ms. Swamini Thakur, Mr. Anurag Ramekar i/b Mr. Bhavake and Associate Advocates, learned Advocates for the Applicant.

Ms. Anamika Malhotra, learned A.P.P. for the State/Respondent.

ASI Mr. P K. Bankar attached to Umbraj Police Station, Satara is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th JULY 2025.

P.C. :

1. Heard Mr. Niranjana Bhavake, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 78 of 2023 registered with Umbraj Police Station, District-Satara for the offences punishable under Sections 307, 385, 387, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, 1860 (“**IPC**” for short), Section 37(1)(3)/135 of the Maharashtra Police Act, 1861 and Sections 3(1)(2), 3(2) and 3(4) of the

Maharashtra Control of Organized Crimes Act, 1999 (“MCOC Act” for short).

3. Mr. Niranjan Bhavake, learned Advocate for the Applicant submits that the abovesaid crime is registered as Special Case No. 38 of 2023 and is pending on the file of learned Special Judge under MCOCA, Karad, District-Satara.

4. There are 7 accused persons in the present crime. Applicant is Accused No. 1.

5. Applicant was arrested on 30th January 2023 and since then he is in jail. Criminal Bail Application vide Exhibit-39 in Special Case No. 38 of 2023 filed by the Applicant was rejected by learned Special Judge (MCOC Act), Karad by order dated 22nd October 2024.

6. Mr. Niranjan Bhavake, learned Advocate for the Applicant submits that the Applicant is seeking bail in the present crime on the ground of parity. He submits that Prakash @ Panku Anandrao Yadav (Accused No. 3) in the said crime was released on bail by this Court by its order dated 31st July 2024 passed in Criminal Bail Application No. 3793 of 2023. He tenders a copy of the said order, which is taken on record and marked as “X” for identification. He submits that involvement of the Applicant and involvement of Accused No. 3 in the present crime is almost similar. He by referring to the First Information Report submits that involvement of the Applicant is much lesser than involvement of Accused No. 3 in said crime, he relies on page no. 48 of the paper-book.

7. Ms. Anamika Malhotra, learned A.P.P. for the State/Respondent submits that though involvement of the Applicant in the present crime is similar to that of involvement of Accused No. 3, however she distinguishes the case of Applicant on the ground that the Applicant is a gang leader. She further submits that the Applicant in the present case has more antecedents than as compared to the antecedents of Accused No. 3.

8. I have perused the records with the assistance of learned Advocates of the parties.

9. Perusal of the charge-sheet reveals that the role assigned to Applicant in the present crime is similar to the role that is assigned to Accused No. 3. Material on record indicates that the Applicant is alleged to be present at the time of making demand of money. Allegations against Accused No. 3 are of being present at the time of making demand of money and further of he assaulting the Complainant. This Court has granted bail to Accused No. 3. Thus, the Applicant would be entitled for bail on the ground of parity.

10. Mr. Niranjana Bhavake, learned Advocate submits that in the event of indulgence being shown to the Applicant, then the Applicant will not enter the territorial jurisdiction of Umbraj Police Station, District-Satara, till conclusion of the trial. Statement accepted.

11. In view of the above, the present Bail Application is allowed on the following conditions :-

a. Applicant is directed to be released on bail in

connection with Crime No. 78 of 2023 registered with Umbraj Police Station, District-Satara for the offences punishable under Sections 307, 385, 387, 143, 147, 148, 149, 504 and 506 of the IPC, Section 37(1)(3)/135 of the Maharashtra Police Act, 1861 and Sections 3(1)(2), 3(2) and 3(4) of the MCOC Act on executing PR. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one or two sureties in the like amount to the satisfaction of the Special Judge (MCOC Act), Karad.

- b. Applicant shall not enter the territorial jurisdiction of Umbraj Police Station, District-Satara, till conclusion of the trial, except for attending the trial.
- c. Applicant shall provide his address and name of the nearby police station to the Investigating Officer, which he shall attend on 1st and 16th day of each month between 10.00 a.m. and 12.00 noon, till conclusion of the trial, except on the date of trial.
- d. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence.
- e. Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition and misuse of liberty by the applicant.

- f. Applicant shall attend the trial before the learned Trial Court regularly on every date unless exempted by the learned Trial Court for any reason.

12. Criminal Bail Application No. 40 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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