

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

CRIMINAL BAIL APPLICATION NO. 3393 OF 2025

Sachin Popat Leve

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Aniket Vagal a/w Ms. Juhi Kadu, Ms. Savvy Kolhekar & Mr. Kunal N. Pednekar, learned Advocates for the Applicant.

Mr. Amit A. Palkar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 3rd SEPTEMBER 2025.

P.C. :

1. Heard Mr. Aniket Vagal, learned Advocate for the Applicant and Mr. Amit Palkar, 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. 242 of 2023 registered with Ambad Police Station, District-Nashik for the offences punishable under Sections 307, 109, 114, 120(B), 201 & 385 of the Indian Penal Code Act, 1860 (“**IPC**” for short), Section 3(1)/25 of the Indian Arms Act, 1959, Section 142 of the Maharashtra Police Act, 1951, Section 7 of the Criminal Law Amendment Act, 2013 and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organized Crime Act, 1999 (“**MCOC Act**” for short).

3. Mr. Aniket Vagal, learned Advocate for the Applicant submits that the abovesaid crime is registered as Special Case No. 260 of 2023 and is pending before the Court of Additional Sessions Judge-1, Nashik.

4. There are 14 accused persons in the present crime. Applicant is Accused No. 6.

5. Applicant was arrested on 21st April 2023, since then he is in jail. Criminal Bail Application at Exhibit-93 filed by the Applicant in Special Case No. 260 of 2023, was rejected by the learned Additional Sessions Judge-1, Nashik by order dated 30th July 2025.

6. Mr. Aniket Vagal, learned Advocate for the Applicant submits that the Applicant is seeking bail on the sole ground of parity. He submits that Rahul A. Gupta (Accused No. 8), whose involvement in the present crime is similar and identical to the involvement of Applicant, has been released on bail by this Court vide order dated 21st March 2025 passed in Criminal Bail Application No. 2581 of 2024. He tenders a copy of said order dated 21st March 2025, which is taken on record and marked as "X" for identification. He submits that Kishor Baburao Wakode (Accused No. 7) and Mahendra @ Ganpat Rajesh Shirsath (Accused No. 14) in the said crime have been released on bail by this Court vide order dated 27th November 2024 passed in Criminal Bail Application No. 1859 of 2024 and order dated 7th July 2025 passed in Criminal Bail Application No. 35 of 2025, respectively. He tenders copies of said orders dated 27th November 2024 & 7th July 2025, which are taken on record and marked as "Y Colly." for identification. He therefore

submits that the Applicant would be entitled to bail on the ground of parity.

7. Mr. Amit Palkar, learned A.P.P. for the State/Respondent submits that the involvement of Applicant in the present crime is similar and identical to the involvement of Rahul A. Gupta (Accused No. 8), as such case of Applicant can be considered on the ground of parity.

8. I have perused the records and the copies of orders tendered today at X & Y Colly, with the assistance of learned Advocates of the parties.

9. Involvement of Applicant is similar and identical to the involvement of Rahul A. Gupta (Accused No. 8) in the present crime, as submitted by Mr. Aniket Vagal, learned Advocate for the Applicant and confirmed by Mr. Amit Palkar, learned A.P.P. for the State/Respondent. Accused No. 8 is released on bail. In view of the said position, Applicant would be entitled to bail on the principle of parity.

10. 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. 242 of 2023 registered with Ambad Police Station, District-Nashik for the offences punishable under Sections 307, 109, 114, 120(B), 201 & 385 of the IPC, Section 3(1)/25 of the Indian Arms Act, 1959, Section 142 of the Maharashtra Police Act,

1951, Section 7 of the Criminal Law Amendment Act, 2013 and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the MCOC Act on executing PR. Bond in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) with one solvent surety in the like amount to the satisfaction of the Additional Sessions Judge-1, Nashik.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade such a person from disclosing the facts to the Court or to any police personnel.
- c. Applicant shall not tamper with the prosecution evidence and shall not contact or influence any witness in any manner.
- d. Applicant upon his release from jail, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Ambad Police Station, District-Nashik and shall keep the same updated, in case of any change thereto.
- e. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Special Case No. 260 of 2023, pending on the file of Additional Sessions Judge-1, Nashik, on each and every date, unless exempted from appearance.

f. Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition or if the Applicant commits similar offence.

11. Criminal Bail Application No. 3393 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2025.09.04
19:50:12 +0530