

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3781 OF 2025**

Kiran Mahadev Bhosale ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Navkar Jain *a/w Harshal Savla for the Applicant.*
Ms. Anamika Malhotra, *APP for the State-Respondent.*
API – Santosh Gangapurkar, *Samta Nagar Police Station, is present.*

CORAM Dr. Neela Gokhale, J.
DATED: 6th October 2025

PC:-

1. The Applicant seeks his release on bail in connection with FIR No. 318 of 2024 dated 12th May 2024 registered with Samta Nagar Police Station, Brihanmumbai City for offences punishable under Sections 364-A, 386, 323, 504, 506(2) and 34 of the IPC.

2. The case of the prosecution is that On 8th May 2024, the Complainant was traveling in his car. Co-Accused Sagar Pawar, was his driver. There were two other friends in the car

alongwith the Complainant. The complainant stopped to drop off his friend Dinesh. After dropping Dinesh, they proceeded and stopped at a traffic signal. The two co-accused entered the car and, at the knifepoint, demanded an amount of Rs. 5 Crore from the Complainant, failing which he was threatened with dire consequences. The Complainant negotiated with the accused and ultimately they went to the Complainant's house where they collected Rs.60 Lakh. Thereafter, the driver Sagar was let off, and after some time, the Complainant was also let off. The Complainant then filed the complaint resulting in the registration of the present FIR. It transpired during the investigation that the driver, Sagar was also complicit in the said offense.

3. Mr. Navkar Jain, learned Counsel for the Applicant, submits that the Applicant was arrested on 12th May 2024 and, till date, the charges are not framed. He brought to my attention an order dated 12th November 2024 passed by the Sessions Court, Dindoshi, whereby co-accused Sagar Pawar is

enlarged on bail. He also pointed out an order dated 27th June 2024 passed by this Court, wherein the other accused, namely Mangesh Karande, is also enlarged on bail. He thus, submits that on the principle of parity, the present Applicant also be released on bail.

4. Ms. Anamika Malhotra, learned APP, submits that the principle of parity will not apply in the present case since the co-accused Mangesh Karande is enlarged on bail based on the observations of this Court that the money recovered from Karande did not match with the notes given by the Complainant as ransom. She further submits that the numbers of the bundles of the money recovered from the said co-accused are not conclusively established to be the same notes which were taken as ransom from the Complainant. On this ground, the said co-accused was granted bail. She, then submitted that the money recovered from the present Applicant matches the numbers on the notes which was taken by way of ransom from the Complainant, and hence, the

circumstances of the present Applicant are distinct. She thus, submits that the application be rejected.

5. I have gone through orders dated 12th November 2024 passed by the Sessions Court and 27th June 2024 passed by this Court, enlarging both the co-accused on bail. There are no antecedents in respect of the present Applicant. Considering that the Applicant is arrested on 12th May 2024 and as on date, charges are not yet framed, it is unlikely that the trial will conclude in the foreseeable future. In these circumstances, despite there being a slight distinction in the facts of the case of the co-accused Mangesh Karande with that of the Applicant, I am of the view that this is a fit case for grant of bail. In any event, the role of both the accused is similar. Accordingly it is ordered as under:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant is permitted to furnish provisional cash bail of Rs.50,000/- for his release immediately and file undertaking that he will provide one or two sureties in the like amount of Rs.50,000/- within a period of four weeks after his release, which shall be accepted by the Trial Court. The Applicant shall provide the sureties as directed;

iii) The Applicant shall attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court;

iv) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;

v) The Applicant shall not leave India, without permission of the trial Court;

vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

6. Application is allowed in the above terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial

Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)