

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

CRIMINAL BAIL APPLICATION NO.4017 OF 2025

Jignesh Dashrath Shitole

... Applicant

V/s.

The State of Maharashtra

... Respondent

**WITH
INTERIM APPLICATION NO.4243 OF 2025
IN
CRIMINAL BAIL APPLICATION NO.4017 OF 2025**

Mr. Aabad Ponda, Senior Counsel a/w Tanmay Kate a/w Ashraf Kazi i/by Vipul Dushing for the Applicant.

Mr. B. V. Holambe Patil, APP for the Respondent-State.

Mr. Amar Kale a/w Ekta Patil i/by Prashant Hajare for the intervenor-first informant.

A. B. Khomane, PSI, Uruli Kanchan PS is present.

CORAM : N.R. BORKAR, J.

DATE : 27TH NOVEMBER 2025

P.C. :

1. This is an Application for regular bail.

2. The Applicant came to be arrested in Crime No.282 of 2024 registered at Uruli Kanchan Police Station, Dist-Pune for the offences punishable under Sections 109, 115(2), 238, 126(2), 352, 351(2), 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30 of the Arms Act, 1959.

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3. The present Applicant is Accused No.3 in the aforesaid crime. Accused No.1 in the present crime, who is father of the present Applicant, had borrowed certain amount from the first informant. On the date of incident, which took place on 14th September 2024, the first informant along with his cousin Kaluram Gote, who is injured in the present crime, came to the house of Accused No.1 and told him to return the amount borrowed by him. It is alleged that some altercation took place between Accused No.1 on one side and the first informant and injured Kaluram Gote on the other side. It is alleged that during the said altercation, Accused No.1 took out the pistol and started firing due to which injured Kaluram sustained bullet injury. It is alleged that at that time, the present Applicant was there and he brought another gun and handed over the same to Accused No.1. There are also allegations of instigation by the present Applicant.

4. I have heard Learned Senior Counsel for the Applicant, Learned APP for the Respondent-State and Learned Counsel for the intervenor-first informant.

5. Learned Senior Counsel for the Applicant has drawn my attention to the order passed by this Court dated 17th April 2025 in Criminal Bail Application No.453 of 2023. By the said order, the Applicant was permitted to withdraw his earlier application for bail with liberty to file a fresh application after three months. Learned Senior Counsel submits that as on date, the Applicant is in jail for more than one year. It is submitted that the version of the first informant and injured Kaluram with regard to the alleged overt act attributed to the present Applicant is not consistent.

It is submitted that there are no other criminal antecedents against the present Applicant. It is further submitted that the trial is not likely to be concluded in near future as it is yet to be committed to the Sessions Court.

6. On the other hand, Learned APP for the Respondent-State and Learned Counsel for the intervenor-first informant submit that the Applicant is involved in serious crime of attempt to murder and specific overt act is attributed to the Applicant in crime in question. It is submitted that the Accused, who are on bail, on one pretext or the other, are not appearing before the Magistrate Court and therefore the matter could not be committed to the Sessions Court.

7. I have perused the statements of the first informant and injured Kaluram. The main allegations are against the Accused No.1. The Applicant is in jail for one year. There are no other criminal antecedents against the present Applicant. Considering the overall facts and circumstances of the case, I am inclined to release the Applicant on bail. In the result, the following order is passed:-

ORDER

- i. The Bail Application is allowed.
- ii. The Applicant be released on bail in Crime No.282 of 2024 registered at Uruli Kanchan Police Station, Dist-Pune for the offences punishable under Sections 109, 115(2), 238, 126(2), 352, 351(2), 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30 of the Arms Act, 1959, on furnishing PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

8. The Bail Application is disposed of accordingly.
9. In view of disposal of the Bail Application, the Interim Application for intervention stands disposed of.

(N.R. BORKAR, J.)