



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1076/2025

(Manish Pawar S/o Amarpal Singh Vs. The State of Maharashtra, through Police Station Officer Police Station
Deori, Dist. Gondia)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C.R. Thakur, Advocate for the applicant.
Mr. C.A. Lokhande, A.P.P. for non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 27.11.2025.

The applicant is arrested in Crime No.249/2021 for the offence punishable under Sections 395, 341, 342, 365, 323, 120-B and 412 of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organized Crimes Act and Sections 3/25 of the Arms Act.

2. The prosecution case, in short, is as under:-

The first informant along with his friend was travelling by his Scorpio Car. When the complainant was near Masulka Ghat, 8 to 10 persons stopped their vehicle and surrounded the aforesaid vehicle with three vehicles and after stopping the vehicle of the informant, the unknown persons entered into said vehicle and started beating to the informant and snatched Rs.35,000/- from him. They threw his mobile from the moving car. They kidnapped the informant and his friend and covered their face with scarf. The unknown persons took the informant and his friend into forest and tied both of them with tree and left the spot after giving threats. Initially the informant has lodged the report about snatching of Rs.35,000/-. During the

investigation, it was transpired from the owner of Scorpio they robbed Rs.9,35,000/- from said vehicle. From the CCTV footage the vehicles which were used by the accused persons were identified and on the basis of said CCTV footage, the applicant came to be arrested.

3. The learned Advocate for the applicant has stated that MCOC Act was registered against all the accused persons on 2.12.2021. Total 15 accused are there out of them 6 accused are released on bail. The applicant had filed the application before this Court but had withdrawn said application with liberty to file afresh before the trial Court on the ground of parity but it was rejected and, therefore, this second application is filed by the applicant.

4. The learned Advocate for the applicant has further stated that though the applicant is seen in the CCTV footage and his presence was there, the co-accused whose role was similar, is released on bail and the application of the present applicant is rejected on the ground that applicant is not entitled for parity. Since applicant is in jail since 2021, charge is not yet framed and there is delay in trial, he has prayed to release the applicant on bail.

5. Learned A.P.P. opposed the application stating that though the applicant has filed this second bail application, the trial Court has rejected the ground of parity, MCOC is registered against all the accused persons. Considering the gravity of the offence, prayed to reject the application.

6. Heard both sides and perused the record.

7. On perusal of record it appears that out of 15 accused 6 are already released on bail. MCOC Act is registered against all of them. The earlier orders passed by the trial Court shows that co-accused

were having similar role and they were also seen in CCTV footage but they were released on bail, therefore, the ground of parity is applicable to this applicant. The applicant is in jail since 2021. The charge is not yet framed. In reply reason is not given for the delay in trial. As the charge is not framed since last 4 years, the applicant is in jail and the ground of delay in trial is also available to this applicant, the application is allowed.

(i) Applicant - Manish Pawar S/o Amarpal Singh be released on bail in Crime No.249/2021 for the offence punishable under Sections 395, 341, 342, 365, 323, 120-B and 412 of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organized Crimes Act and Sections 3/25 of the Arms Act, on furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.

(ii) The applicant shall not in any way tamper with the prosecution evidence.

(iii) The applicant shall not pressurize or threaten the prosecution witnesses.

(iv) The applicant shall co-operate the learned trial Judge in the conduct of the trial.

(MRS.VRUSHALI V.JOSHI, J.)