IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 BAIL APPLICATION NO. 1524 OF 2026

Pradum Suresh Bhosale
VERSUS
The State Of Maharashtra

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Mr. Shaikh Joyeb I., Mudassir H. Shaikh, Advocate for Applicant
Mr. S. D. Ghayal, APP for the Respondent - State

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CORAM : HITEN S. VENEGAVKAR, J.
DATE : 27.10.2026

PER COURT :

1. Present application is filed for grant of regular bail on account of arrest of applicants in Crime No.669 of 2021 dated 24.09.2021, registered with Shrirampur City Police Station for the offences punishable under Sections 394, 395, 458 and 120B read with 34 of the Indian Penal Code and Sections 3(1)(ii), 3(2) and 3(4) of Maharashtra Control of Organized Crime (MCOC) Act.

2. The prosecution case is that during the night of 23.09.2021, at about 1.45 a.m., four unknown thieves entered the house by of the informant breaking open the door. They threatened the informant and his family members, causing the informant to surrender their gold ornaments. The accused then stole the gold ornaments and cash amount of Rs.2,82,000/- from the informant's residence.

3. Learned counsel for the applicant submits that the first information report is apparently against unknown persons,

whereas the prosecution has arrayed in all seven accused. The applicant is arrested 29.01.2022 and since then he is behind the bars. Learned counsel for the applicant pointed out that similarly placed co-accused are already granted bail by order dated 29.02.2024, 21.02.2025 and 06.01.2026 therefore, on the ground of parity also, the applicant deserves similar treatment. He further pointed out that charge- sheet is already filed. No test identification parade is conducted. The accused is not even produced before the trial Court on given dates. Therefore, there is no immediate chance of commencing the trial and further getting it concluded.

4. Learned APP opposed the application on the ground that, now trial has already commenced. It is pointed out that co-accused who is released on bail is a goldsmith and had purchased alleged stolen gold. Therefore, his role cannot be equated with the present applicant, who has indulged in the serious crime and has active participation. Hence, it is not open for him to seek parity. Learned APP pointed out that in this case, provisions of MCOC Act are also invoked.

5. Having heard the respective counsel from both the sides and perusal of the material on record, including the charge sheet indicates that apparently, as submitted that the FIR is at the instance of the informant against the unknown persons/thieves for breaking his house in the night of 23.09.2021, and taking away belongings worth of Rs.2,82,000/-. The applicant is shown to be arrested in above crime on 29.01.2022. Learned counsel is seeking

parity on the ground that co-accused, namely, Ajay, Sameer, Balu, Dicchan and Sachin have succeeded in seeking bail by orders dated 29.07.2024, 21.02.2025 and 06.01.2026. In the said order, this Court, in paragraph 5, has primarily taken into consideration the finding of long incarceration. Therefore, relying on the judgment of the Honourable Apex Court, in the case of ***Javed Gulam Nabi Shaikh Vs. State of Maharashtra and others; MANU/SC/0609/2024***, ***dated 03.07.2024***, the applicant/accused were granted bail.

6. The present applicant is also arrested in the above crime and the prosecution is not able to demonstrate that there is progress in the trial. No further recovery or discovery is to be made. Though there are criminal antecedents, however, taking into consideration the above prolonged period of pretrial incarceration and when similarly placed accused are already beneficiary of bail, there is no reason to refuse similar relief to the present applicant. Similarly situated co-accused persons have also been released on bail by this Court on the grounds of prolonged incarceration and the slow pace of the trial. The situation regarding the progress of the trial has not materially changed till date.

7. Hence, the order:-

ORDER

(i) The bail application is allowed.

(ii) Applicant, Pradum Suresh Bhosale, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/-

(Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 669 of 2021 dated 24.09.2021, registered with Shrirampur City Police Station for the offences punishable under Sections 394, 395, 458 and 120B read with 34 of the Indian Penal Code and Sections 3(1)(ii), 3(2) and 3(4) of Maharashtra Control of Organised Crime (MCOC) Act, on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of two of the near relatives.

(d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[HITEN S. VENEGAVKAR, J.]

Sameer/Oct-2026