IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 BAIL APPLICATION NO. 1670 OF 2026

Vinod Laxman Chavariya
VERSUS
The State Of Maharashtra
...
Mr. Deshmukh Bhausaheb Sadashivrao, Advocate for Applicant
Mr. V. K. Kotecha, APP for Respondent -State

WITH
CRIMINAL APPLICATION NO. 4450 OF 2026
IN BA/1670/2026

Mithu Mohan Barse
VERSUS
The State Of Maharashtra And Another
...
Mr. Harshal Prakash Randhir, Advocate for Applicant (Assists to PP)

CORAM : HITEN S. VENEGAVKAR, J.
Dated : 28th October, 2026

PER COURT :-

1. Heard learned Advocate for the Applicant and learned APP for the State.

2. By the present application, the applicant is seeking regular bail in connection with his arrest in Crime No. 118 of 2024, registered with Bhusawal City Police Station, District Jalgaon for the offences punishable under sections 302, 143, 147, 148, 149, 341, 120-B of the Indian Penal Code, under sections 3/25, 27, 7/25 of the Indian Arms Act and sections 37 (1) (3), 135 of the Maharashtra Police Act. The applicant is arrested on 31.05.2024 and since then the applicant is in jail. The investigation is complete and charge-sheet has been filed.

3. The record indicates that the first application of the applicant came to be rejected on 26.09.2025 bearing Bail Application No. 2361 of 2024. On the same day, by the same the said order, Bail Application No. 2372 of 2024, preferred by co-accused Jaysing @ Sonu Raising Pandit was also rejected. The accused Jaysing @ Sonu Raising Pandit had approached the Hon'ble Supreme Court, wherein the Hon'ble Supreme Court has also rejected the Bail Application, thereby confirming the said order dated 26.09.2025. The co-accused Jaysing @ Sonu Raising Pandit once again preferred Bail Application No. 849 of 2026 in this Court which came to be allowed on 16.07.2026 by a detailed order. Perusal of the said order indicates that the specific role of the co accused Jaysing @ Sonu Raising Pandit on the basis of statement of eye witness Praful was considered and the court had come to a conclusion that there is no specific role attributed to the present applicant in the said statement. The recovery of the arms at the instance of co-accused Karan was also taken into consideration. The Court held that as many as six persons and there 2-3 associates are named in the alleged offence and the entire episode of firing, but, who actually opened fire and targeted the deceased is not clear from the statement of the eye witness Praful. The court also considered filing of charge-sheet in the month of August, 2024 and no charges framed till the application was decided i.e. on 16.07.2026.

4. The learned Advocate appearing for the applicant submits that the applicant has preferred the present application on the ground of

parity with the co-accused Jaysing @ Sonu Raising Pandit who has been released on bail by this Court. He submits that the role assigned to the present applicant is also similar to that of the role assigned to the Jaysing @ Sonu Raising Pandit. He also submits that though the charge-sheet is filed in the month of August, 2024, till date, no charges have been framed. On this ground, he submits that the successive bail application deserves to be allowed and the applicant be released on bail.

5. The learned APP appearing for the State opposed the application by submitting that statement of eye witness Praful names the present applicant and a specific role is attributed to the present applicant. He submits that, thus, the case of the present applicant cannot be equated with the role assigned to co-accused Jaysing @ Sonu Raising Pandit who is released on bail. According to him, no parity applies. He further submits that the accused persons have been preferring discharge application before the trial Court and therefore, the charges are not framed in the matter. The learned APP also submits that the applicant has three criminal antecedents and in all the matters, he has been released on bail and the present offence is committed while the applicant was on bail. He, thus, prays that there is no change in circumstance and therefore application be rejected.

6. I have taken into consideration the order dated 16.07.2026 passed by this Court in Bail Application No. 849 of 2026 and also the earlier order of rejection of bail passed by this Court on 26.09.2025 in

Bail Application No. 2372 of 2024. The order granting bail to the accused Jaysing @ Sonu Raising Pandit categorically refers to the statement of the eye witness namely Praful. The learned APP has stated in the said application that there is no specific role attributed of the present applicant in the statement of eye witness Praful. The statement has been recorded in the said order. While considering the said statement, the Court has considered the entire incident which has taken place while firing on the decease persons collectively by the accused persons. The court has also taken into consideration the filing of charge-sheet and non framing of charges till date while allowing the said application.

7. In light of the above, I have perused the statement eye witness Praful. The statement specifically makes reference to the accused Jaysing @ Sonu Raising Pandit and the present applicant among the other co-accused persons who opened fire on the deceased person while they were sitting in the Car. The name of the present applicant as well as the co-accused Jaysing @ Sonu Raising Pandit is referred in the statement by the eye witness and the collective allegation of opening fire against all of them is mentioned in the statement. The role is, therefore, cannot be segregated from the role assigned to the released accused Jaysing @ Sonu Raising Pandit. In my view, therefore, as far as role is concerned, the role of the applicant is at par with the released accused Jaysing @ Sonu Raising Pandit. As far as progress in the trial is concerned, this Court, while granting bail to

accused Jaysing @ Sonu Raising Pandit has noted on 16.07.2026 that charge-sheet is filed and no charges have been framed. On taking instructions, the learned APP also informs that till date, the charges are not framed. Thus, even that situation of progress in trial has not changed from July, 2026 till today. Thus, in my mind, the applicant stands in par with the released accused as far as the progress in trial is concerned and the role attributed to the present applicant in the statement of the eye witness.

8. The only consideration that requires in accordance with the statement made by the learned APP pertaining to the criminal antecedents of the present applicant. No doubt the criminal antecedents of the applicant are serious and they require due consideration while deciding the present application. But, merely because there are criminal antecedents against the present applicant, the law of parity, which squarely applies to the present applicant with co-accused Jaysing @ Sonu Raising Pandit who is released on bail, cannot be ignored. The criminal antecedents and the activities of the present applicant can be taken care by imposing stringent conditions on the applicant while releasing him on bail. Hence, the following order:

ORDER

(i) The Bail Application is allowed.

(ii) The Applicant- in connection with in Crime No. 118 of 2024, registered with Bhusawal City Police Station, District Jalgaon for the offences punishable under sections 302, 143, 147, 148,

149, 341, 120-B of the Indian Penal Code, under Sections 3/25, 27, 7/25 of the Arms Act and Sections 37 (1) (3) , 135 of the Maharashtra Police Act, be released on bail on furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand only)/-** with one or two sureties of the like amount.

(iii) The applicant shall remain outside the territorial jurisdiction of District Jalgaon till the conclusion of the trial, save and except for the purpose of attending the Investigating Officer and appearing before the Court on the dates fixed in the respective trials in which he is an accused. While entering District Jalgaon for attending any such trial, he shall duly intimate the Investigating Officer of the present offence well in advance. Immediately upon conclusion of the trial proceedings for the day, he shall leave the limits of District Jalgaon without any delay. Any breach of this condition will entitle the prosecution to move an application for cancellation of his bail.

(iv)) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

9. Pending Criminal Application also stands disposed of.

(HITEN S. VENEGAVKAR, J.)

JPChavan