



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2514 OF 2025

GANESH SURESH BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Chaitanya Deshpande h/f Mr. A. M. Reddy
APP for Respondents-State : Mr. G. O. Wattamwar
...

CORAM : SACHIN S. DESHMUKH, J.
Date : 20th January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 25.01.2025 bearing Crime No. 63 of 2025 registered with Parner Police Station, Dist. Ahilyanagar for the offences punishable under Sections 309(6), 310(2), 324(4), 317(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter "BNS" for short) alongwith Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (hereinafter "MCOC Act" for short).

2. The prosecution case is that on 25.01.2025, at approximately 02:00 am, the accused persons committed a house-breaking and dacoity at the residence of the informant in Pathar Vasti, Sobalewadi, Tq. Parner, Dist. Ahilyanagar. It is alleged that

the accused gained entry by forcibly breaking the door latch, after which snatched gold ornaments from the informant's mother and grandmother, amounting to a total value of Rs. 2,75,000/-. During the commission of the crime, the accused reportedly issued death threats to the informant and intentionally damaged their mobile handset to prevent them from seeking assistance. Following these events, the FIR was lodged.

3. The learned counsel for the applicants submits that the FIR was lodged against unknown persons. A co-accused in this crime, Siddhesh, has been enlarged on regular bail by the Sessions Court. As such, on the ground of parity, the applicant deserves to be enlarged on bail. It is further submitted that the applicant was arrested on 29.04.2025. The applicant is falsely implicated in the crime. The investigation is complete and the charge-sheet has been filed; hence, the continued incarceration of the applicant is unnecessary. Therefore, prayed that the application be allowed.

4. The learned APP opposed the application, submitting that the crime is serious in nature and that there is sufficient material on record to establish the complicity of the applicants. If the applicant is enlarged on bail, there is every possibility of tampering with the prosecution evidence. Accordingly, it was

prayed that the application be rejected.

5. Admittedly, the FIR was lodged against unknown persons, and the applicant's name was only mentioned during the course of the investigation. Moreover, the alleged weapon and other articles connected to the crime have already been recovered by the investigating agency; as such, nothing further remains to be recovered at the instance of the present applicants. The investigation of the case is complete and the charge-sheet has been filed.

6. Furthermore, the co-accused, Siddhesh, has already been enlarged on bail by the Court of Sessions. The applicant is situated on the same footing as the co-accused Ganesh and is thus entitled to bail on the grounds of parity.

7. The investigation is complete for all intent and purposes. Resultantly, the charge-sheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under trial prisoner,

in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favor of the applicant.

8. Hence, the following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Ganesh Suresh Bhosale be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 63 of 2025 registered with Parner Police Station, Dist. Ahilyanagar for the offences punishable under Sections 309(6), 310(2), 324(4), 317(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 alongwith Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (c) The applicant shall submit his Aadhar and Pan Card to

the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

- (d) Breach of any of the conditions by the applicants would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi