

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.41 OF 2026**

1. Shahrukh Akbar Shaikh,
2. Eknath @ Natha Sopan ShindeApplicants
Vs.
The State of MaharashtraRespondent

Mr. Omkar D. Sovani, for the Applicants.

Mr. Pankaj P. Deokar, APP, for the Respondents-State.

Mr. Gosavi, GPSI, Pandharpur City Police Station is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 18th FEBRUARY 2026

PC.:-

1. The Applicants are arrested in connection with C.R. No. 244 of 2018 registered with Pandharpur City Police Station, District Solapur, for the offenses punishable under Sections 302, 203, 120-B, 201, 143, 147, 148 and 149 of the Indian Penal Code; under Sections 3, 4, 25, 5 and 27 of the Arms Act; under Section 135 of the Maharashtra Police Act; and under Sections 3(1)(i), 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act (MCOC Act).

2. The learned counsel appearing for the Applicants submitted that there are in all 27 accused in the present case and that the trial has been pending since 2018. It was further submitted that all the

accused persons have been in custody since 2018. Out of the 27 accused, 13 have already been released on bail on the ground of long incarceration. It was pointed out that the application filed before the Hon'ble Apex Court by the complainant challenging the order granting bail to one of the accused was rejected on the ground of long incarceration of more than seven years. Thereafter, this Court has also granted bail to the co-accused having a similar role. On these grounds, the Applicants have prayed for bail on the ground of long incarceration as well as on the ground of parity.

3. The learned APP opposed the Application, submitting that the offence is under the MCOC Act and that there is a likelihood of framing of charges. On these grounds, it was prayed that the Application be rejected.

4. Heard the learned counsel appearing for both the parties.

5. It appears from the record that the Applicant No.1-accused No.22 has been in custody since August 2018 and Applicant No.2-accused No.23 has been in custody since May 2018. The role attributed to these Applicants is similar. Out of the 27 accused, 13

have already been released on bail on the ground of long incarceration. Thus, the ground of parity is available to the present Applicants.

6. As the charges have not yet been framed and more than 122 witnesses have been cited by the prosecution, the trial is likely to take considerable time. In view of the prolonged incarceration and the violation of the Applicants' right to a speedy trial, coupled with the ground of parity, the Applicants are entitled to be released on bail. Hence, the following orders:

ORDER

- i) The Application is allowed.
- ii) The Applicants, namely, Shahrukh Akbar Shaikh and Eknath @ Natha Sopan Shinde shall be released on bail on furnishing personal bond of Rs.25,000/- each with their recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;
- iii) The Applicants shall remain present before the concerned Police Station on every Thursday between 11.00 a.m. to 01.00 p.m;

- iv) The Applicants shall cooperate with the investigation and make themselves available for interrogation whenever required;
- v) The Applicants shall maintain law and order;
- vi) The Applicants shall, at the time of execution of the bond, furnish their residential address and contact number to the Investigating Officer, and the Court concerned, and shall not change the residence till the final disposal of the case;
- vii) The Applicants shall regularly remain present during the trial, and cooperate with the learned trial Court to complete the trial for the above offenses.

(MRS. VRUSHALI V. JOSHI, J.)

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GAIKWAD

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