IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1235 OF 2026

Prakash @ Ganesh Namdev Shrigond ... Applicant
V/s.
State of Maharashtra ... Respondent

Mr. Ashraf Shaikh, for the Applicant
Mr. Amit Palkar, APP for the Respondent - State.
Mrs. Hasina Shaikh, PSI, Chikhali Police Station, Pune.

CORAM : MILIND N. JADHAV, J.

DATED : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Ashraf Shaikh, learned Advocate for Applicant and Mr. Amit Palkar, learned APP for Respondent.

2. This is an Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking bail in connection with C.R. No. 173 of 2024 registered with Chikhali Police Station, Pune, for offences punishable under Sections 394 and 34 of the Indian Penal Code, 1860; Sections 4 and 25 of the Arms Act, 1959; Sections 37(1) and 37(3), read with Section 135 of the Maharashtra Police Act, 1951; Section 7 of the Criminal Law Amendment Act, 1932; and Sections 3(1)(ii) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (MCOCA).

3. The Applicant is indicted and arrested in the present crime. There are two accused persons. Accused Nos. 1 and 2 are alleged to have

intercepted the First Informant/Complainant on a busy public road and demanded Rs. 500/- from him, which he refused to give. In that view of the matter, there was a scuffle between the parties, and it is therefore alleged in the complaint that Accused Nos. 1 and 2 forcibly took away Rs.900/-, which the complainant was carrying in his pocket. The allegation is that Accused No. 2 also attempted to threaten and harm the complainant with a weapon, namely, a sickle.

4. The Applicant was arrested for the aforesaid crime on 30 April 2024 and has been in jail since then. The investigation is completed and the charge-sheet has been filed. The MCOCA provisions have also been invoked on the premise that the Applicant is the gang leader.

5. However, considering the statement of the complainant and the fact that accused No. 2, who allegedly threatened the complainant with a weapon, and he been enlarged on bail, I am inclined to consider the case of the Applicant for bail on the ground of parity.

6. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant is directed to be immediately released from prison in connection with CR. No.173 of 2024;

(ii) Applicant is directed to be released on bail on

furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

6. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the prima facie observations made hereinabove in this order.

7. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]