IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1860 OF 2026

Pravin Sidram Madikhambe ... Applicant
V/s.
State of Maharashtra ... Respondent

Mr. Shailesh Kharat a/w Adv. Onkar Chaudhari a/w Adv. Shreyash More, for the Applicant
Mr. Amit Munde, APP for the Respondent - State.

CORAM : MILIND N. JADHAV, J.

DATED : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Shailesh Kharat, learned Advocate for Applicant and Mr. Amit Munde, 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. 440 of 2024 registered with Loni Kalbhor Police Station for offences punishable under Sections 111, 112, 303(2), 61(2), 316(3), 287 and 288 of the Bharatiya Nyaya Sanhita, 2023; Sections 4, 5 and 6 of the Essential Commodities (Special Provisions) Act, 1981; and Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

3. The case of the prosecution is against 14 accused persons in the present crime, who have been indicted for carrying out theft of petrol/diesel from private transport vehicles, siphoning it off and selling

it in the market.

4. Insofar as the present Applicant is concerned, the case of the prosecution against him is purely circumstantial and is to the effect that he used to buy the said petrol/diesel and dispose it in the open market. All other accused persons in the present crime have already been enlarged on bail, except one.

5. Insofar as the role of the Applicant is concerned, the evidence being circumstantial, the complicity of the Applicant in the crime will undoubtedly be proved by the prosecution at trial. Keeping all contentions of the prosecution expressly open, I am inclined to consider the case of the Applicant for bail.

6. It is argued vehemently by Mr. Amit Munde, learned Advocate for the Respondent, that the Applicant is a gang leader and there are nine antecedents against the Applicant and therefore, this Court should not grant him bail.

7. However, considering the circumstantial nature of the evidence against the Applicant in the present crime, I am inclined to consider the case of the Applicant. Considering the long incarceration of the Applicant since 27 November 2024 and the ignominy of the trial not commencing or, for that matter, not concluding in the near foreseeable future, I am persuaded to consider the case of the Applicant for grant of

bail.

8. 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.440 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 Sunday 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.]