IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3072 OF 2026

Ganesh Maruti Kathewade ... Applicant
V/s.
State of Maharashtra ... Respondent

Mr. Sachin Salunke (through V.C.) for the Applicant
Mrs. Anuja Gotad, APP for the Respondent - State.
Mr. Anand Aware, PSI, Swargate Police Station, Pune.

CORAM : MILIND N. JADHAV, J.

DATED : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Sachin Salunke, learned Advocate for Applicant and Mrs. Anuja Gotad, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.526 of 2024 registered with Swargate Police Station, Pune for offences punishable under Sections 305, 331(3), 317(2)(4), 3(5), of Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

3. The Applicant has been arrested in connection with a crime involving house-trespass and theft of gold ornaments. The case of the prosecution against the Applicant is based on circumstantial evidence. It is prima facie seen that the Applicant has been arrested in view of he being a history-sheeter and there is no direct evidence qua the present

crime in question.

4. In that view of the matter, considering the long incarceration of the Applicant for one year and ten months and the fact that the prosecution has already effected recovery of the gold ornaments, I am inclined to consider the case of the Applicant for grant of bail.

5. 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.526 of 2024;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen 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.]