IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3760 OF 2026

Ajay alias Ajju Yuvraj Kasbe .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Akshay Bankapur, Advocate, for the Applicant
Mr. S. G. Talhar, APP, for the Respondent – State
Mr. Mahesh Bhosale, PSI, Yerwada Police Station, Pune present

ANAND SUDHAKAR SUDAME
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Date: 2026.10.07 20:38:25 +0530

CORAM : MILIND N. JADHAV, J.

DATE : 07.10.2026

P. C.

1. Heard Mr. Bankapur, learned Counsel for the Applicant and Ms. Talhar, learned APP for the Respondent – State.

2. This Application is filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short "**BNSS**") in connection with C.R.No. 436 of 2025 registered with Yerwada Police Station, Pune for offences punishable under Sections 118(2), 3(5), 189(2)(4)(6), 191(2)(3) & 190 of the Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**"), under Section 4(25) of the Arms Act, under Section 3(7) of the Criminal Law Amendment Act & under Sections 3(1)(ii), 3(2) & 3(4) of the MCOCA Act.

3. The Applicant is indicted in an offence initially for causing grievous hurt and thereafter, provisions of the MCOCA Act have been invoked. *Prima facie*, it is seen that the incident having occurred on 27.06.2025 was reported on 28.06.2025, where the Applicant has not been named. The Applicant was arrested on 29.06.2025 without any basis. Pursuant to the arrest of the Applicant, four statements of independent eye witnesses have been recorded, who have stated in their statements that Applicant was present at the scene of crime. However, these statements have been recorded subsequently i. e. on 30.06.2025, 03.07.2025 & 04.07.2025 respectively. *Prima facie*, on the basis of the aforesaid, the arrest of the Applicant is merely on the basis of association and there is no material produced by the prosecution to show the presence of the Applicant on the scene of crime.

4. Learned APP has argued that the Applicant has six antecedents and therefore, the Applicant is associated with the gang. However, insofar as incident in question is concerned, there is no material and merely on the basis of association of the Applicant, the Applicant has been arrested which is *prima facie* seen by the Court.

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

(i) Applicant – **Ajay alias Ajju Yuvraj Kasbe** is directed to be immediately released from prison in connection with CR. No. 436 of 2025;

(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 of the like amount;

(iii) Applicant shall report to the Investigating Officer at Yerwada Police Station, Pune, 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 co-operate 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 herein above in this order.

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

(MILIND N. JADHAV, J.)