IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3767 OF 2026

Gopal Ashok Patekar .Applicant

Vs.

The State of Maharashtra .Respondents

ANAND SUDHAKAR SUDAME
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Date: 2026.10.07 20:44:33 +0530

Mr. Himanshu S. Gavit a/w. Ms. Uma Mundada, Advocates, for the Applicant
Mr. S. A. Karmakar, APP, for the Respondent – State
Mr. Suyog Waykar, API, Upnagar Police Station, Nashik present

CORAM : MILIND N. JADHAV, J.

DATE : 07.10.2026

P. C.

1. Heard Mr. Gavit, learned Counsel for the Applicant and Mr. Karmakar, 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. 465 of 2025 registered with Upnagar Police Station, Nashik for offences punishable under Section 310(4)(5) of the Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**"), under Section 4/25 of the Arms Act and under Section 135 of the Maharashtra Police Act.

3. The Applicant seeks regular bail having been arrested on 14.10.2025. Case of the Applicant is that his role and participation in

the crime is not there at all. It is seen that only because of the "Clean Nashik Campaign" which was promulgated by the local Municipal Corporation and the Area Committee along with the Police, the Applicant has been arrested on the basis of his earlier antecedent which is not connected with the present alleged offence at all. There is no *prima facie* incriminating material placed on record by the prosecution to show participation and conspiracy or the Applicant being part thereof to commit the crime, save and except to state that the Applicant was apprehended late in the night and that merely cannot be ground for his detention. In that view of the matter, the Applicant has made out a case for grant of bail.

4. 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 – **Gopal Ashok Patekar** is directed to be immediately released from prison in connection with CR. No. 465 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 surety of the like amount;

(iii) Applicant shall report to the Investigating Officer at

Upnagar Police Station, Nashik, 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.

5. 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.

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

(MILIND N. JADHAV, J.)