Sharada

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3816 OF 2026

Mohammad Sadiq Mohammad Gaffar .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Karim Pathan a/w Ms. Meghna, Mr. Fazal Shaikh, Adv. Shane Ilahi, Mr. Fardeen Shaikh, Mr. Shoaib Shaikh, Adv. Kahkashan Ansari, and Adv. Shaikh Humzah, Advocates for Applicant.
- Mr. Sukanata Karmakar, APP for Respondent.
- Mr. Kashiraj Jadhav, PSI, Baramati Taluka Police Station.

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CORAM : MILIND N. JADHAV, J.
DATE : OCTOBER 12, 2026

P.C.:

1. Heard Mr. Pathan, learned Advocate for Applicant and Mr. Karmakar, 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.52 of 2026 registered with Baramati Taluka Police Station, for offences punishable under Sections 303(2), 310(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Applicant is indicted and arrested in the present crime on the basis of circumstantial evidence and suspicion only on the eve of the funeral of the political figure when a chain snatching incident took

place. It is the complainant's case and statement which is appended at page 31 that the person who snatched the chain took advantage of the crowd which had gathered and despite efforts to catch him they were not able to catch him. The prosecution has arrested the Applicant at 23:00 hours on the same day on the ground of mere suspicion. Applicant has no antecedents and Applicant is incarcerated for the past more than 10 months. Hence, I am inclined to allow the Application for grant of bail.

4. 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.52 of 2026;

(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 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.

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.]