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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3832 OF 2026

Shailesh @ Pintu Ashok Gaikwad .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Aniket Vagal a/w. Ms. Savvy Kolhekar and Ms. Juhi Kadu, Advocates for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent – State.
- PSI – Mr. Dashrath Nandiwale, Yavat Police Station present.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Vagal, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent – State.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.329 of 2023 registered with Yavat Police Station for offences punishable under Sections 302 and 307 of the Indian Penal Code, 1860.

3. Applicant has been indicted under the aforesaid Act and has been in custody for three years and six months pending trial. The prosecution's case is that suspecting his wife, the deceased victim of infidelity the Applicant intercepted both the deceased

victim and the injured victim and inflicted a knife blow. Though *prima facie* the testimony of the injured victim comes to the fore and identifies the role of Applicant, I am inclined to consider the case of Applicant for releasing him on bail solely on the ground of his long incarceration pending trial since charge has been framed and the trial has not commenced and the prospect of the trial commencing or for that matter concluding in the near foreseeable future is absolutely bleak.

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 – Shailesh @ Pintu Ashok Gaikwad is directed to be immediately released from prison in connection with CR. No.329 of 2023;

(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 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.

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.]

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