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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3866 OF 2026

Shaharukh @ Chinya Dilawar Shaikh .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Aniket Vagal a/w. Ms. Savvy Kolhekar, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent – State.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Heard Mr. Vagal, learned Advocate for Applicant and Ms. Newton, 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.646 of 2023 registered with Talegaon Dabhade Police Station for offences punishable under Sections 399 and 402 of the Indian Penal Code, 1860; Sections 3(25) and 4(27) of the Arms Act, 1959 and Section 37(1) read with 135 of the Maharashtra Police Act, 1951.

3. In the present case, Applicant is a young offender aged 19 years. He has been indicted for the offence of preparation for dacoity which carries a maximum punishment of 5 years imprisonment and he is incarcerated for 2 years and 10 months in prison, pending trial.

Applicant has been arrested merely on the basis of suspicion alongwith the other co-accused persons. No weapon, incriminating article or material has been recovered at the instance of Applicant.

4. The case of prosecution is otherwise based on the extra-judicial confession of the other co-accused persons. Accused No.1 who is having an identical and similar role as that of Applicant has been enlarged on bail by this Court vide order dated 22.09.2026. Hence, on the ground of parity and also on the ground of his incarceration of 2 years and 10 months in custody and the ignominy of the trial not having commenced and / or being completed in the near foreseeable future being bleak, it persuades the Court to consider the case of 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 – Shaharukh @ Chinya Dilawar Shaikh is directed to be immediately released from prison in connection with CR. No.646 of 2023;

(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.

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.]

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Date: 2026.10.14 20:03:44 +0530