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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4092 OF 2024

Prakash Ranchhoddas Divakar ... Applicant
@ Prakashdas Ranchhoddas Vaishnav

Versus

State Of Maharashtra ... Respondent

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Mr.Satyavrat Joshi a/w Mr.Ishan Paradkar, Mr.Samay Pawar and
Mr.Yash Fadtare, for the Applicant.
Mr.Prashant P. Jadhav, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st JANUARY 2026

P.C. :

. By this Application, Applicant is seeking regular bail in
Crime No.240 of 2022 registered with Bundgarden Police Station,
Pune, for the offences punishable under Sections 307, 353, 332,
120(B), 141, 143, 144, 147, 148 and 149 of the Indian Penal Code,
1860 ('IPC' for short), Sections 3(25) and 4(25) of the Arms Act,
Section 37(1)(3) read with Section 135 and 142 of the Maharashtra
Police Act, Sections 3 and 7 of Criminal Law Amendment Act and

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Sections 3(1)(ii), 3(2) and 3(4) of the The Maharashtra Control of Organised Crime Act, 1999 ('MCOC' Act).

2. It is prosecution's case that on 5th September 2022 when First Informant was undergoing treatment at Sassoon Hospital under police protection, at that time, the Applicant and co-accused tried to kill him by assaulting him with sickle and firing at him. It is alleged that the Applicant carried some of the assailants on his motorcycle and co-accused Pratik alias Nonya Sanjay Waghmare who is gang leader, carried some of the assailants in auto rickshaw.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than three and half years. The allegations against the Applicant are that at the time of incident, he was standing outside of the hospital and carried co-accused on his motorcycle. The learned counsel further submitted that the gang leader against whom allegations are that he carried the co-accused in his auto rickshaw to the hospital has been released on bail. There is no progress in the trial. It may take time to conclude the trial. The Applicant has no antecedents. The Applicant is entitled for bail on principle of parity.

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4. It is contention of learned APP that the Applicant is member of crime syndicate. He alongwith co-accused tried to kill first informant when he was undergoing treatment in Sassoon Hospital under police protection. If Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. At the time of incident, the Applicant was not present. The Allegations against him are that he was present outside of the hospital when the First Informant was attacked. To prove the conspiracy, evidence is required. The allegations against the co-accused Pratik alias Nonya Sanjay Waghmare and the Applicant are same. The co-accused Pratik alias Nonya Sanjay Waghmare has been released on bail, considering these facts, I pass following order.

ORDER

(i) The Applicant-Prakash Ranchhoddas Divakar @ Prakashdas Ranchhoddas Vaishnav be released on bail in Crime No.240 of 2022 registered with Bundgarden Police

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Station, Pune,, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(iv) The Applicant shall attend the concerned Police Station as and when required.

(v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)