

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2305 OF 2025**

Anil Ankush Kale

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Ms. Pooja Phagnekar, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for Respondent-State.

PSI-V. B. Maskar, Shikrapur Police Station, Pune Rural, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 1114 of 2022 registered with Shikrapur Police Station, District Pune, for the offences punishable under Sections 394 and 397 of the Indian Penal Code 1860.

2. It is prosecution's case that on 7th December 2022, the applicant and co-accused barged into the shop of the first informant and robbed an amount of Rs. 10,000/- by assaulting the first informant and others with sickle.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than three years, yet there is no progress

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in the trial. Test Identification Parade was not conducted. Hence, requested to allow the application.

4. It is contention of learned APP that the robbed amount is recovered at the instance of the applicant. Test Identification Parade is conducted and the applicant is identified. If the applicant is released on bail, he may threaten the prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. The Test Identification Parade is conducted after three years of the incident, that too, after the directions of this Court, so the said Test Identification Parade has no evidentiary value. The applicant is behind bars for more than three years. There is no progress in the trial. Considering these facts I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 1114 of 2022 registered with Shikrapur Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when required.

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- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)