

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2704 OF 2025

Anil Kanoji Bhuvad	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Ramanik Pawar, with Rahul H. Gupta, i/by Samiksha L Pawar
for the Applicant.

Mr. A.S.Gawai, APP for the Respondent-State.

CORAM: R. M. JOSHI, J.
DATED: 30th MARCH, 2026.

PC:-

1. This Application for regular bail has been filed in connection with Crime No.72 of 2021 dated 24th August 2021 registered with the DCB, CID for the offences punishable under Sections 387, 307, 325, 323, 120-B, 506(2), 143, 144, 147, 148, 149 of the Indian Penal Code, 1860 ('IPC') read with Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crimes Act, 1999 ('MCOCA Act').

2. It is the case of the prosecution that on 19th August 2021, the Co-accused called the First Informant to his office wherein the Applicant and the Co-accused were present. They demanded money from him, to which he agreed to pay within two days. On 22nd August 2021, the Co-accused, i.e., Accused No.2 made phone call to the First Informant and asked him to meet Accused No.1 at

Sutar Galli No.1. When the First Informant went to the said place, Accused No.2 abused him and made him to sit on the bench and thereafter, on instructions of Accused No.1, Accused No.3 assaulted him with fists blows. Accused Nos.2, 5 and 6 assaulted him. Accused No.4 threatened him by holding a knife on his neck. The present Applicant, i.e., Accused No.4 is said to have caused injury to the neck of the First Informant. On the basis of said report, the offence came to be registered. On completion of investigation, the charge-sheet is filed. Admittedly, out of 6 Accused persons, 5 Accused are already released on bail either by this Court or by the Special Court.

3. Learned counsel for the Applicant submits that having regard to the nature of allegations against the Applicant and the Co-accused, there remains no reason for not applying the principle of parity. He seeks bail on the ground of parity as well as in view of the fact that the Applicant was arrested on 25th August 2021.

4. The learned APP opposes the Application on two grounds, firstly, the offence is serious in nature and secondly, the role of the present Applicant differs than the one, which is alleged against the Co-accused. It is his submission that the present Applicant caused assault in the neck of the First Informant and there is recovery of knife at his instance. It is submitted that the Applicant has criminal history and there are 4 criminal cases pending against him. He further submits that there is eye witness to the incident in question.

5. *Prima facie*, perusal of the record indicates that against all the Accused persons, the provisions of Sections 120-B as well as

149 of IPC are made applicable. Thus, it could be said that each Accused is responsible for the acts of the others. Insofar as the injury caused to the First Informant is concerned, the medical certificate indicates that simple injury was caused to the neck of the First Informant. It is clear from the allegations made against the present Applicant that he threatened the First Informant by holding a knife at his neck. Having regard to the allegations against the Co-accused, it can be said that as per the case of the prosecution, all accused have acted in concertion and with a common object.

6. Insofar as the antecedents are concerned, Accused No.1 is granted bail though he had 23 criminal cases against him. In such a case, there remains no justification for rejecting the Application. Hence, the following order is passed:

ORDER

- (i) Applicant – Anil Kanoji Bhuvad, who is facing trial in MCOC Special Case No.1451 of 2021 pending on the file of Additional Sessions Judge, Mumbai, is ordered to be released on bail on furnishing P.R. Bond in the sum of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties of the like amount;
- (ii) Applicant shall not enter or reside in the jurisdiction of V.P. Road Police Station and Dr. D.B. Marg Police Station (Lamington Road Police Station) for a

period of five years or until the trial is concluded, whichever is earlier. Applicant shall report to the concerned Investigating Officer as and when called and not otherwise;

- (iii) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted;
- (iv) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;
- (v) Applicant shall not establish contact with First Informant and /or influence witnesses or tamper with the evidence in any manner;
- (vi) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and/ or change of residence or mobile details, if any, from time to time, as applicable;
- (vii) Applicant shall surrender his passport, if any, with the Trial Court; and
- (viii) Any infraction of the conditions shall entail

prosecution to apply for cancellation of bail granted to the Applicant.

7. The aforesaid observations are *prima facie* on the basis of record of the case which have been argued before me and shall not be considered as an expression of opinion by this Court and is only for the purpose of enlargement of Applicant on bail and shall not influence the trial in the present case.

8. In the above terms, Bail Application stands allowed and disposed.

(R. M. JOSHI, J.)

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