

Shubhada S Kadam

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

CRIMINAL BAIL APPLICATION NO. 3965 OF 2025

Ganesh @ Batlya Gautam GaikwadApplicant

versus

The State Of MaharashtraRespondent

Mr. Rushikesh Kale, Advocate for the Applicant.

Ms. Ranjana D. Humane, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 681 of 2024 registered with Panchavati Police Station, District Nashik, for the offences punishable under Sections 109(1), 117(2), 121(1) (2), 352, 351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 135 of the Maharashtra Police Act, 1951.

2. It is prosecution's case that on 11th November 2024, the applicant and co-accused assaulted the first informant with stone and helmet with the intention to kill him on the ground of an old dispute.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than 14 months. There is no progress in

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the trial. The co-accused, against whom similar allegations are made, has been released on bail. Hence, the applicant is entitled to bail on the principle of parity and requested to allow the application.

4. It is contention of learned APP that the applicant is the main assailant and he assaulted the first informant with stone on the face. 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 the charge-sheet and documents produced on record. The applicant is behind bars for more than 14 months. There is no progress in the trial. The co-accused, against whom similar allegations are made, has been released on bail. Considering these facts, the applicant is entitled to bail on the principle of parity and I pass following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 681 of 2024 registered with Panchavati Police Station, District Nashik, 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.)