

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4187 OF 2025

Pradip Bhaiyalal Bisen

....Applicant

versus

The State of Maharashtra

....Respondent

Mr. Bhushan Raut along with Mr. Shantanu Malshikare, Advocate for Applicant.

Mr. B. B. Kulkarni, APP for Respondent-State.

Mr. Salim Gufer Shaikh, SPI, Vagaon Nimbalkar Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 123 of 2023 registered with Vadgaon Nimbalkar Police Station, District Pune, for the offences punishable under Sections 394, 397, 398, 342, 120-B read with Section 34 of the Indian Penal Code 1860 and Section 3 read with Section 25 of the Arms Act.

2. It is prosecution's case that on 31st March 2023, around 6:45 pm, the applicant and co-accused entered in Mahalaxmi Jewellers' Shop of the first informant and robbed gold ornaments by pointing a pistol at the first informant and employees in the shop. It is alleged that while running away from the shop, the police apprehended accused No. 1, who

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fired at the people and injured some of them, and the applicant along with the co-accused fled from the incident spot.

3. It is contention of learned counsel for the applicant that no Test Identification Parade of the applicant was conducted to show his involvement in the crime. The applicant is behind bars for around three years. There is no progress in the trial, and requested to allow the application.

4. It is contention of learned APP that accused No. 1 was caught red-handed by the people. The applicant participated in the said crime. The applicant has antecedents. If he is released on bail, he may abscond and requested to reject the application.

5. I have heard both learned counsel, perused charge- sheet and documents produced on record. The applicant is behind bars for more than three years. No Test Identification Parade of the applicant was conducted. To show his involvement in the crime, evidence is required at trial. Considering these facts, I pass following order.

ORDER

- (i) The applicant be enlarged on bail in Crime No. 123 of 2023 registered with Vadgaon Nimbalkar 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.

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(ii) The applicant shall attend the concerned police station as and when required.

(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.)