

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

CRIMINAL BAIL APPLICATION NO.4209 OF 2025

Ganesh Rajendra Jadhav

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Ashok P. Mundargi, Senior Advocate a/w Akshay Bankapur for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent-State.

CORAM : N.R. BORKAR, J.

DATE : 07TH MAY 2026

PC. :

1. This is an Application for regular bail.
2. The Applicant came to be arrested in Crime No. 64 of 2023 registered at Satpur Police Station, Nashik for the offences punishable under Sections 307, 143, 144, 147, 149, 385, 392 and 120B of the Indian Penal Code, Sections 25(3), 25(4) and 25(5) of the Indian Arms Act, Sections 135 of the Bombay Police Act and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organised Crime Act, 1999.
3. It is the case of the prosecution that there was previous enmity between the first informant on one side and the present Applicant and other co-accused on the other side. On 17th March 2023, the first informant had received the information that co-accused Ashish Jadhav and the other co-accused had procured a silver Skoda car and six pistols for the purpose of committing the murder of the first informant.

4. On the date of incident, which took place on 19th March 2023, the first informant along with his friend Tapan Jadhav were travelling towards CIDCO from Gangapur in a car bearing No.MH-15-DM-7839. Upon reaching near Mahindra Company, a silver Skoda car dashed into the rear side of the first informant's car. Realising the threat to his life, the first informant ran out of his car. At that time, co-accused Ashish Jadhav began shooting at him from the pistol, while the other co-accused ran behind him with sickles in their hand. However, the first informant fled into a nearby company and contacted the police. It was later revealed to the first informant that his friend Tapan Jadhav was shot by the present Applicant and assaulted on his head and legs with a sickle by the other co-accused. Subsequently, the present Applicant and other co-accused fled the spot by threatening a passerby with the pistol. Accordingly, the present crime came to be registered.

5. During the course of investigation, it was revealed that the co-accused Ashish Jadhav with other co-accused have formed an organised crime syndicate thus the offences punishable under the Maharashtra Control of Organised Crime Act, 1999 were invoked.

6. I have heard Learned Senior Counsel for the Applicant and Learned APP for the Respondent-State.

7. Learned Senior Counsel for the Applicant submits that the Applicant is not involved in the present crime and has been falsely implicated only on the basis that his brother is the prime accused. It is submitted that the

injured Tapan Jadhav has not stated in his statement that the present Applicant fired a gun shot at him. It is submitted that the transcript of CCTV footage dated 21st March 2023 does not mention the presence of the Applicant. It is further submitted that during the course of investigation, the CDR of the Applicant was collected, which reflects that the location of the Applicant at the time of the incident was Ravivar Peth. It is submitted that this Court by order dated 24th February 2025 in Bail Application No.3705 of 2024 permitted the Applicant to withdraw the bail application filed by him with liberty to move before the trial court after a period of six months, in case there is no progress in the trial. It is submitted that the Applicant is in jail for more than three years and except framing of charge there is no progress in the trial. It is therefore submitted that the Applicant may be released on bail.

8. Learned APP for the Respondent-State submits that the Applicant is involved in a crime of serious nature. It is submitted that the Applicant is the real brother of the gang leader Ashish Jadhav and as such the Applicant is an active member of the organised crime syndicate formed by his brother. It is submitted that during the course of investigation it was revealed that the Applicant tracked the movements of the first informant and intimated the co-accused about the same. It is submitted that the CDR records of the Applicant indicate that he was constantly in contact with the co-accused. It is submitted that the Applicant had given his motorcycle to the co-accused for committing the crime, which was seized during the course of investigation. It is further submitted that witness Shubham Pawar identified the Applicant in the test identification parade. It is

submitted that the Applicant is involved in four more crimes of similar nature. It is submitted that the Applicant therefore may not be released on bail.

9. The fact that the Applicant is in jail for more than three years is not disputed. This Court vide the order dated 24th February 2025 in Criminal Bail Application No.3705 of 2024 granted liberty to the present Applicant to file fresh application after six months if there is no progress in the trial. It appears that after passing of the said order, except framing of charge, there is no progress in the trial. Considering the said facts, I am inclined to release the Applicant on bail. Hence, the following order:

ORDER

- i. The Criminal Bail Application is allowed.
- ii. The Applicant be released on bail in Crime No. 64 of 2023 registered at Satpur Police Station, Nashik for the offences punishable under Sections 307, 143, 144, 147, 149, 385, 392 and 120B of the Indian Penal Code, Sections 25(3), 25(4) and 25(5) of the Indian Arms Act, Sections 135 of the Bombay Police Act and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organised Crime Act, 1999, on furnishing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- iii. Till conclusion of the trial, the Applicant shall not enter into the corporation limits of Nashik city except to attend the dates before the trial court.
- iv. The Applicant shall not commit any other crime.

- v. Liberty is granted to the prosecution to file an application for cancellation of bail in case the Applicant commits breach of any of the above conditions.

10. The Criminal Bail Application stands disposed of in the aforesaid terms.

(N.R. BORKAR, J.)