

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4575 OF 2025**

Jitendra S/o. Virji Thakkar

....Applicant

Versus

The State of Maharashtra

....Respondent

Mr. Priyatosh Tiwari i/b. Mr. Ashok M. Saraogi, Advocate for the Applicant.

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

PSI-D.M. Chavan, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No.19 of 2015 registered with Wadivhare Police Station, District Nashik, for the offences punishable under Sections 199, 120B, 177, 201, 465, 468, 471 and 120-B of the Indian Penal Code 1860, Sections 3(1)(i) and (ii), 3(2), 3(4), 3(5) and 4 of the Maharashtra Control of Organised Crime Act, 1999 and Sections 3 and 7 of Essential Commodity Act.

2. It is prosecution's case that the applicant and co-accused were involved in smuggling of grains stored in government stock and used to sell the same in the State Gujarat. It is alleged that the applicant is a broker.

3. It is contention of learned counsel for the applicant that the co-accused, against whom similar allegations are made, have been released

This order is corrected in view of speaking to the minutes order dated 03.02.2026.

Page 1 of 3

Shubhada S Kadam

on bail. The applicant is 99% blind and is behind bars for more than six months. The investigation is completed and charge-sheet has been filed. It may take time to conclude the trial and requested to allow the application.

4. It is contention of learned APP that the applicant was absconding. Proclamation was issued against him, and after rejecting the representation of the applicant, he was directed to surrender before the investigating officer. If the applicant is released on bail, he may abscond. Hence, requested to reject the application.

5. I have heard both learned counsel, perused the charge-sheet and documents produced on record. The applicant is 99% blind and has been behind bars for more than six months. The investigation is completed and charge-sheet has been filed. It may take time to conclude the trial. The co-accused against whom similar allegations are made have been released on bail, hence, the applicant is entitled to bail on the principle of parity. Considering these facts, I pass the following order.

ORDER

- (i) The applicant be enlarged on bail in Crime No.19 of 2015 registered with Wadivhare 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.

This order is corrected in view of speaking to the minutes order dated 03.02.2026.

Shubhada S Kadam

- (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.)