

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 4654 OF 2025

Nilesh Vijay Gaikwad

...Applicant

VERSUS

State Of Maharashtra

...Respondent

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Mr.Kuldeep Nikam a/w Mr.Nishi Singhvi, for the Applicant.

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

Mr.Akshay Patil, PSI, Uttamnagar Police Station, Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th APRIL 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.188 of 2021 registered with Uttamnagar Police Station, Pune, for the offences punishable under Sections 307, 201, 143, 147, 149 and 120B of the Indian Penal Code, 1860 ('IPC' for short), Sections 37(1)(3) read with Section 135 of the Maharashtra Police Act, Sections 3 and 4 of Criminal Law Amendment Act and Sections 3(25)(27) of the Arms Act and Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 ('MCOCA' for short).

2. It is prosecution's case that the Applicant and co-accused fired from pistol at the First Informant with an intention to kill him on account of old dispute.

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3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than four years. The prosecution has examined two witnesses. The First Informant has turned hostile, and requested to allow the Application.

4. It is contention of learned APP that, the Applicant has fourteen antecedents. The provisions of MCOCA are applied against him. If the Applicant released on bail, he may abscond or threaten First Informant and prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. The Applicant is behind bars for more than four years. Yet trial has not been concluded. The First Informant has turned hostile. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

(i) The Applicant be released on bail in Crime No.188 of 2021 registered with Uttamnagar Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

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- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)