

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 98 OF 2026**

Bhushan @ Swapnil Sunil Gosavi

... Applicant/s

Versus

The State of Maharashtra

... Respondent/s

Mr. Akshay Bankapur, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for Respondent-State. APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 428 of 2024 registered with Upanagar Police Station, District - Nashik, for the offences punishable under Section 310(2) and 311 of the Indian Penal Code 1860.

2. It is prosecution's case that on 23rd November 2024, the applicant and co-accused were arrested by the police when they were running away after committing dacoity.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than 1 year and 4 months. There is no recovery of robbed amount at the instance of the applicant. The co-accused, against whom similar allegations are made, has been released on bail. Hence, requested to allow the application.

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4. It is contention of learned APP that the applicant was caught red-handed on the spot by the police. The pistol used in the crime has been recovered at his instance. The applicant has antecedents. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses 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 1 year and 4 months. 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. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 428 of 2024 registered with Upanagar 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.
- (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.

Shubhada S Kadam

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.)