

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 367 OF 2026**

Rushikesh Hanumant Gadkar

.....Applicant

VERSUS

The State of Maharashtra

....Respondent

Mr. Afsar Ansari along with Mr. Vishal V. Rankhambe and Mr. Chaitanya Bagul i/b. Mr. Vishal Rankhambe, Advocate for Applicant.

Mr. P. P. Jadhav, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 384 of 2023 registered with Dighi Police Station, District Pune, for the offences punishable under Sections 395 of the Indian Penal Code 1860, Section 4(25) of Indian Arms Act, Section 7 of Criminal Law Amendment Act, Section 37(1)(3) r/w. 135 of the Maharashtra Police Act, and Section 3(1)(ii) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

2. It is prosecution's case that on 21st August 2023, the applicant and co-accused assaulted the first informant with a sickle and robbed money from his pant pocket.

Shubhada S Kadam

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than two years and five months. The co-accused against whom similar allegations were made, have been released on bail. Hence, the principle of parity is applicable to the applicant and requested to allow the application.

4. It is contention of learned APP that the applicant has seven antecedents and is a gang leader. The provisions of MCOCA are applicable against the applicant. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both sides, perused charge-sheet and documents produced on record. The applicant is behind bars for more than two years and five months. The co-accused, against whom similar allegations were made, have 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. 384 of 2023 registered with Dighi 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.

Shubhada S Kadam

- (ii) The applicant shall not enter the jurisdiction of Dighi Police Station till the conclusion of the trial.
- (iii) The applicant shall attend the concerned police station as and when required.
- (iv) 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.)