

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 846 OF 2026

Darshan Gorakh Gaikwad

....Applicant

versus

The State of Maharashtra

....Respondent

Mr. Akshay Bankapur, Advocate for Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 164 of 2023 registered with Mhasrul Police Station, District Nashik, for the offences punishable under Sections 307, 323, 504 and 506 read with 34 of the Indian Penal Code 1860, Section 7 of the Criminal Law Amendment Act, Section 4 read with 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

2. It is prosecution's case that on 25th June 2023, around 11:30 pm, the applicant and co-accused assaulted the friends of the first informant with the intention to kill them.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than two years and six months, yet there

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is no progress in the trial. All co-accused except the applicant have been released on bail. It may take time to conclude the trial and requested to allow the application.

4. It is contention of learned APP that the applicant and accused assaulted the injured with a sharp weapon with the intention to kill them on the ground of an old dispute. If the applicant is released on bail, he may 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 two years and six months. All other co-accused, against whom similar allegations are levelled, 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. 164 of 2023 registered with Mhasrul 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.

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(iii) The applicant shall not enter the jurisdiction of Moshi Police Station till the conclusion of the trial.

(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.)