

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 1077 OF 2026

Ganesh Shivaji Kale ...Applicant

VERSUS

State Of Maharashtra ...Respondent

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Mr. Shailesh Kharat, for the Applicant.
Mr. P.P. Jadhav, APP for Respondent-State.
Ms. Vaishali Bhabad, PSI, Chakan Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th APRIL 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.114 of 2025 registered with Chakan Police Station, Pune, for the offences punishable under Sections 310(2), 311, 317(3), 249 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short), Sections 4(25) of the Arms Act and Sections 3(1)(ii), 3(3) and 3(4) of the The Maharashtra Control of Organised Crime Act, 1999 ('MCOCA Act' for short).

2. It is prosecution's case that on 24th February 2025, co-accused entered in the house of the First Informant and robbed the gold ornaments and assaulted the son and daughter-in-law of the First Informant with knife

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with an intention to kill them. It is alleged that after dacoity the Applicant gave shelter to the co-accused and provided food to them.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than one year. He was not present at the time of incident. The Applicant has no antecedents. There is no progress in trial. It may take time to conclude the trial, and requested to allow the Application.

4. It is contention of learned APP that the Applicant gave shelter to the co-accused who committed dacoity in the house of the First Informant and assaulted his family members with knife with an intention to kill them. All weapons were kept in the house of the Applicant. 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.

6. The Applicant was not present at the time of dacoity. The allegations against the Applicant are of harboring the co-accused who committed dacoity. The Applicant is behind bars for more than one year. The Applicant has no antecedents. There is no progress in trial. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

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ORDER

- (i) The Applicant be released on bail in Crime No.114 of 2025 registered with Chakan Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (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.)