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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1138 OF 2026

Amit Mhasku Avchare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Ishan Paradkar a/w. Mr. Satyavrat Joshi, Advocate for Applicant.

Mr. S.R. Agarkar, APP for Respondent-State.

PSI Tukaram Surwase, Lonikand Police Station present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th May, 2026.

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the State.
2. By this application, the applicant is seeking regular bail in Crime No. 847 of 2024 registered with Lonikand Police Station for the offence punishable under Sections 109(1), 61(2), 111, 3(5) of Bhartiya Nyay Sanhita, under Section 3(25) of the Arms Act, under Sections 37(1) and 15C of Criminal Law Amendment Act, 3(1)(ii), 3(2) and 3(4) of Maharashtra Control of Organized Crime Act, 1999.
3. It is prosecution's case that on 29.08.2024 around 11.30 p.m., Applicant and co-accused were holding a pistol and magazine with intention to kill the first informant.

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4. It is contention of learned counsel for the Applicant that there was no fire at the first informant nor any injury caused to the first informant. The mere allegations of holding the pistol are made against the applicant and the co-accused. Applicant is behind around one year and eight months. The co-accused having similar allegations have been released on bail and requested to allowed the application.

5. It is contention of learned APP that applicant and co-accused were holding pistol in their hand and they planned to kill the first informant. If he is released on bail, he may abscond or threaten prosecution witnesses and requested to reject the application.

6. I have heard both learned counsel. Perused charge sheet and documents produced on record. Applicant and co-accused did not fire at first informant. Allegations against them that they had planned to kill the first informant. To prove the case against the Applicant, trial is required. The co-accused having similar allegations, has been released on bail.

7. Considering these facts, I pass following order:

ORDER

(i) The Applicant- Amit Mhasku Avchare be released on bail in Crime No. 847 of 2024 registered with Lonikand Police Station, on

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furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) Applicant shall attend the concerned police station as and when required.

(iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(v) Bail Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)