

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1357 OF 2026

Ganesh Ramchandra Tohake

....Applicant

versus

The State of Maharashtra

....Respondent

Ms. Pooja Dongre i/b. Ms. Vinaya Patil, Mr. Nilesh Kashyap and Ms. Sonal Priya, Advocate for Applicant.

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

PSI-Sanil Dhanave, Manchar Police Station (Pune Rural), present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 663 of 2023 registered with Manchar Police Station, Pune, for the offences punishable under Sections 395, 457, 380 r/w. 34 of Indian Penal Code, 1860.

2. It is prosecution's case that on 08.11.2023, around 3.15 am, the applicant and co-accused robbed gold and silver ornaments from jewellery shop of the first informant.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than thirty months. There is no progress in the trial. The co-accused-Sagar Vitthal Kolekar has been released on

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bail by this Court. The applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant and co-accused robbed gold ornaments from the jewellery shop of the first informant. The said ornaments are recovered. The applicant has antecedents. Various apparatus used in the crime i.e. sickle, gas cutter, masks and two mobiles of the co-accused have been recovered at the instance of the applicant. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel, perused charge-sheet and documents produced on record. The applicant has no antecedents. The co-accused, against whom similar allegations are made, has been released on bail. The applicant is behind bars for thirty months. Considering these facts, I pass following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 663 of 2023 registered with Manchar Police Station, Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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(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.

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.)