

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 1792 OF 2026

Avinash Patiraj Dementi

...Applicant

VERSUS

The State Of Maharashtra

...Respondent

Mr.Priyal G. Sarda a/w Mr.Abhishek Jare h/f Mr.Shubham Sudam Sane, for the Applicant.

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

Mr.Mahesh Satpute, PSI, Sangvi Police Station, Pimpri-Chinchwad, District-Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th MAY 2026

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 238 of 2024 registered with Sangvi Police Station, Pimpri-Chinchwad, District Pune, for the offences punishable under Sections 302, 120-B read with Section 34 of the Indian Penal Code 1860, Section 37(1)(3) read with Section 135 and 142 of the Maharashtra Police Act, Section 3(25)(27) of the Indian Arms Act, Sections 3 and 7 of Criminal Law Amendment Act and Section 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999.

2. It is prosecution's case that on 29th May 2024, the applicant and co-accused committed murder of first informant's friend by firing at him. It

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is alleged that Applicant is one of the gang members of the gang headed by co-accused-Saurabhy Ghute and he conspired with co-accused to commit the murder of the deceased.

3. It is contention of learned counsel for applicant that the applicant was not present at the incident. To prove the allegations of conspiracy, evidence is required. The applicant is behind bars for more than one year and ten months. The co-accused having similar allegations, have been released on bail. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial, and requested to allow the applications.

4. It is contention of the learned APP that the applicant conspired with co-accused to kill the deceased. Accordingly, the co-accused fired gun shot and murdered the deceased. The applicant was a part of the conspiracy to kill the deceased. The Applicant has criminal antecedents. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses, and requested to reject the applications.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. The allegations against the applicant are of conspiracy. To prove the role of the applicant in the crime, evidence is required. Although Applicant has criminal antecedents, he has not

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committed any offence with the gang leader. The applicant is behind bars for more than one year and ten months. The co-accused, having similar allegations, have been released on bail. There is no progress in the trial. Considering these facts, I pass the following order

ORDER

- (i) The applicant be enlarged on bail in Crime No. 238 of 2024 registered with Sangvi Police Station, Pimpri-Chinchwad, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- each with one or two sureties in the like amount.
- (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

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this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)