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

BAIL APPLICATION NO.2196 OF 2026

Pratikesh Prakash Surve	 Applicant
Vs.	
The State of Maharashtra	 Respondent

Mr. Bharat Manghani i/b Drushti Gala for the Applicant.
Ms. S. D. Shinde, APP for the Respondent-State.
Mr. Hemant Kadukar, PI, Dindoshi police station present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 15th JUNE, 2026

P.C. :-

- 1) The Applicant is arraigned in an FIR bearing C. R. No.837 of 2024 registered with Dindoshi police station for the offences punishable under Sections 103(1), 115(2), 352, 324(4), 189(2), 189(4), 190, 191(2), 74, 3(5) of the Bhartiya Nyaya Sanhita, 2023 read with Section 135 of Maharashtra Police Act.
- 2) The Applicant seeks the bail on the ground of parity. To substantiate the said ground, the Applicant has produced on record, the Order dated 18th April 2026 in Criminal Bail Application No.4312 of 2025 and Order dated 6th March 2026 in Criminal Bail Application No.4676 of 2025.
- 3) The prosecution case is that on 12th October 2024, at 5.45 pm, when the informant and her husband were proceeding on their motor-cycle and they reached near Abhudaya Bank, Daftari Road, Malad (East), Mumbai, an auto-rickshaw driven in front of their motor bike suddenly swerved. Consequently, her husband got fumbled and they were likely to fall. Her husband then told auto driver to drive his rickshaw properly. However, the

auto driver got annoyed and he abused her husband and also beat him by hand. During the said quarrel, brother of the auto rickshaw driver suddenly came there and started assaulting her husband by hand. Then, other accused persons came there and they also assaulted to her husband. One of the assailant hit her husband over stomach by an object like stone. When the informant and her in-laws tried to intervene, they were also manhandled and beaten up. The husband of the informant sustained injuries. He was taken to the hospital, where, he succumbed to the injuries while undergoing treatment. Thereafter, the informant filed a report of the incident which led to registration of the present crime. The Applicant and co-accused came to be arrested from time to time. On completion of the investigation, the charge-sheet came to be filed. Bail Application filed by the Applicant came to be rejected by the trial Court.

4) While dealing with the said allegations in Criminal Bail Application No.4676 of 2025, this Court observed that having regard to the fact as they are appearing from the charge-sheet, herein this case, there was no motive or intention of the said Applicant to kill the deceased. Nothing is pointed out from the record to take a different view than the one taken on the earlier occasion. There is no disagreement from the Respondent-State that the role attributed to the present Applicant and co-accused is similar. Ms. Shinde, the learned APP has not taken any exception to the submission made by Mr.Manghani that the ground of parity is applicable to the Applicant.

5) In the wake of above, the Applicant is entitled for bail. Hence, the following Order is passed :-

- (i) The Applicant-Pratikesh Prakash Surve shall be released on bail in connection with FIR bearing C. R. No.837 of 2024 registered with Dindoshi police station for the offence punsiyahble under Sections 103(1), 115(2), 352, 324(4), 189(2), 189(4), 190, 191(2),

74, 3(5) of the Bhartiya Nyaya Sanhita, 2023 read with Section 135 of Maharashtra Police Act, on his furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

- (iii) The Applicant shall mark his attendance at Dindoshi police station on the 1st day of each calendar month between 12.00 noon to 4.00 pm, till the conclusion of the trial.
 - (iv) The Applicant shall regularly attend in the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.
 - (v) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witness to prevent them from deposing against him.
 - (vi) On being released from jail, the Applicant shall furnish his contact number and residential address to the Investigation Officer and shall keep him updated, in case there is any change.
 - (vii) By way of abundant caution, it is clarified that the observations made hereinabove are confined for the purpose of determination to the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.
- 6) Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)