



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 1126 OF 2025.

Israil @ Dada Hakim Sheikh.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.V. Sirpurkar, Advocate for the Applicant.
Shri V.A. Thakare, A.P.P. for the Non-applicant /State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 20, 2026.

Heard learned Counsel for the parties.

2. The applicant in the present case came to be arrested on 01.06.2024 in connection with Crime No.43/2024 registered by Korchi Police Station, District Gadchiroli for the offence punishable under Sections 347, 365, 395, 435 of the Indian Penal Code and Sections 3 and 25 of the Arms Act. The first information report is lodged by one Devesh Patel, alleging that on 26.05.2024 he had been to Korchi by four wheeler for buying pan masala. After purchasing pan masala worth Rs.4,90,000/-, when they were

returning back, at a distance of about 2 kilometers from Masale village, they saw a white colour four wheeler standing in the middle of the road and around 7-8 persons were standing there. Two persons were armed with pistol, while one person was armed with rifle. They stopped the vehicle and accosted the informant and driver to step down. They took their mobile phones and an amount of Rs.1,20,000/- from the informant. They covered their eyes with black coloured cloth, and made them travel for about an hour. They also made the informant and the driver to travel by foot through jungle area, and took out their blindfolds. They were handed over their mobile phones and asked to go away from there. While travelling to Masale village they saw that their vehicle was burned by the accused persons. On the basis of said information, the aforesaid crime came to be lodged.

3. The learned Counsel for the applicant submits that this Court by its order dated 15.09.2025 in Criminal Application (BA) No.630/2025 granted bail to Prashant Sangole and Lokesh Nagre. I have perused the said order. The bail was granted on the basis of the fact that the applicants therein are in jail since last one year and further 4-5 accused persons were already released on bail. It was

further observed that a toy gun was recovered and identification parade was also conducted after 45 days.

4. The learned Counsel for the applicant submits that even the case of applicant stands on the same footing. The applicant was arrested on 01.06.2024, identification parade was conducted after 45 days, and 4-5 accused persons are already released on bail, however, so far as the case of Prashant is concerned, a toy gun was recovered from him. In present case a Bajaj Pulsar motor cycle and Rs.2500/- cash was recovered from the applicant.

5. The learned A.P.P. has vehemently opposed the application on the ground that the case of present applicant and Prashant and Lokesh is on different footing.

6. Upon hearing the learned Counsel for the parties, it appears that this Court has already considered the case of Prashant and Lokesh and granted bail to them. So far as the case of Prashant is concerned, a toy gun was recovered from him, whereas in the present case, a Bajaj Pulsar Motorcycle and Rs.2500/- in cash has been recovered. Upon careful perusal of the order dated 15.09.2025 passed by this Court in Criminal Application No.630/2025, I am of the considered opinion that the case of

present applicant also stands on the same footing, except for the recovery. Therefore, considering above facts and accepting the reasons recorded by this Court in Criminal Application No.630/2025, I am inclined to grant bail to the applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Israil @ Dada Hakim Sheikh be released on regular bail in connection with Crime No..43/2024 was registered by Korchi Police Station, District Gadchiroli for the offence punishable under Sections 347, 365, 395, 435 of the Indian Penal Code and Sections 3 and 25 of the Arms Act on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion of the trial.
- (iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

- (v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.
- (viii) Misc. Applications, if any, are also disposed of.

JUDGE

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