

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1362/2025
(Sandeep S/o Roshan Pal Singh Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. S. Manohar, Advocate for applicant.
Mr. A. A. Madiwale, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 27/01/2026.

Heard.

2. The applicant by this application is seeking bail in connection with Crime No.249/2021 registered with Police Station Deori, Tah. Deori, Dist. Gondia for the offence punishable under Sections 323, 365, 342, 341, 395, 120-B and 412 of the Indian Penal Code along with Section 3(1) (i)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organized Crimes Act ("MCOC Act") and Sections 3, 25 of the Arms Act.

3. The learned counsel for the applicant submits that the applicant was arrested on 17.12.2021. He submits that till today even the charges are not framed. The applicant is in Jail since four years. He submits that this Court by its order dated 27.11.2025 granted bail to one Manish Pawar S/o Amarpal Singh in Criminal Application No.1076/2025

on the ground of delay in trial, therefore the learned counsel for the applicant submits that the present applicant is also seeking bail on parity.

4. The learned APP by filing affidavit-in-reply submits that the present applicant has committed serious offence. There is ample material against the applicant and the provisions of MCOC Act are invoked. He further submits that there is one antecedent against the applicant as one crime is registered at Bulandshahr, Uttar Pradesh under the provisions of the Arms Act and parity cannot be claimed considering the nature of offence and criminal antecedent. So far as delay is concerned, it is conceded that till today, the charges are not framed and the present applicant is not produced from the Jail before the Trial Court since several dates. However, considering the gravity of the offence, the present applicant does not deserve to be enlarged on bail.

5. The learned counsel for the applicant submits that this Court, while passing the order in Criminal Application No. 1076/2025 on 27.11.2025 in case of Manish Pawar S/o Amarpal Singh, has observed in paragraph No.7 which

reads as under:-

“7. On perusal of record it appears that out of 15 accused 6 are already released on bail. MCOC Act is registered against all of them. The earlier orders passed by the trial Court shows that co-accused were having similar role and they were also seen in CCTV footage but they were released on bail, therefore, the ground of parity is application to this applicant. The applicant is in Jail since 2021. the charge is not yet framed. In reply reasons is not given for the delay in trial. As the charge is not framed since last 4 years, the applicant is in jail and the ground of delay in trial is also available to this applicant, the application is allowed.”

6. Admittedly, the applicant is in Jail since 17.12.2021 in the present crime as could be gathered from the Arrest Panchanama. It is further to be noted that even the applicant has not been produced before the Trial Court on several dates. This Court has already granted bail to one Manish Pawar S/o Amarpal Singh by an order dated 27.11.2025. Considering the fact that since last four year, the applicant is in Jail and even the charges are not

framed. I am inclined to grant bail to the present applicant by putting strigent conditions, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Sandeep S/o Roshan Pal Singh be released on bail in connection with Crime No.249/2021 registered with Police Station Deori, Tah. Deori, Dist. Gondia for the offence punishable under Sections 323, 365, 342, 341, 395, 120-B and 412 of the Indian Penal Code along with Section 3(1)(i)(ii), 3(2), 3(4) and 3(5) of the MCOC Act and Sections 3, 25 of the Arms Act on his furnishing P.R. Bond of Rs. 25,000/- with two solvent sureties in the like amount.
- (iii) The accused/applicant shall provide his permanent residential address to the Investigating Officer and also cell number. He shall also not change his place of residence without prior intimation to the concerned Investigating Officer
- (iv) The accused/applicant shall attend the concerned Local Police Station located within the jurisdiction of his permanent resident on 1st and 3rd Saturday of every month between 10.00 a.m. to 02.00 p.m.
- (v) He should attend Trial Court regularly without fail. If he fails to attend the Trial Court for two consecutive dates or fails to comply with the aforesaid conditions, his default would entail the Trial Court to take suo motu cognizance of this fact and proceed to cancel the bail or the prosecution is

at liberty to file the application for cancellation of bail.

(vi) 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.

(M. M. NERLIKAR, J.)

Gohane