



(Arun Shivaji Gawali Vs. State of Maharashtra)
(C.N.R. No. MHAH01-000332-2026)

Order below Exh.01 in Cri. Bail Application No.80/2026

(Passed on 29.01.2026)

This is an application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the Accused Arun Shivaji Gawali seeking his release on bail in respect of Crime No.345/2025 for the offence under Sections 303(2) & 317(4) of the Bharatiya Nyaya Sanhita, 2023, registered at Supa Police Station, Tal.Parner, Dist.Ahmednagar.

2. On 12.09.2025, F.I.R. is registered under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023. The Accused is arrested on 31.12.2025 and after sufficient period of PCR, he was taken into Magisterial Custody on 05.01.2026. From that date, the Accused is behind the bar.

3. Heard learned Advocate for the Accused, learned APP for the State and learned Advocate for Informant. Perused the F.I.R. I have perused the documents at Sr.No.1 to 6 filed along with list Exh.03.

4. I have studied Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 as well as Sections 303(2) & 317(4) of the Bharatiya Nyaya Sanhita, 2023.

5. From the F.I.R. it appear that, there is incidence of theft in respect of the copper wire. Approximately the copper wire admeasuring 949.5 meter is stolen away by unknown person. It has

valuation of Rs.37,980/-. Thereby the F.I.R. is registered.

6. The learned Advocate for the Accused in his argument submitted that, Accused is not involved in the alleged offence. No recovery is made from him. His involvement is shown only on the basis of statement of co-Accused. The muddemal is already recovered. Accordingly it is requested to enlarge the Accused on bail.

7. The learned APP for the State objected the application on the ground that present Accused is involved in the alleged offence. The secrete information is also received. The Accused is the habitual offender. He may absconding if released on bail and requested to reject the application.

8. The Informant appeared and filed his say below Exh.09 and in addition to the defence raised by the learned APP, resisted application stating that, Accused is not the law abiding person and accordingly requested to reject his application.

9. After going through the documents it is appear that, muddemal is recovered. As per the investigating report, it is transpired that, the involvement of present Accused is shown on the basis of the statement of the co-Accused. As the muddemal is already recovered, the custodial interrogation is not warranted from him. To avoid the pre-conviction incarnation, I am on the opinion that, on conditions, Accused is entitled to be released on bail. Hence, following order is passed.

ORDER

1. The Criminal Bail Application No.80/2026 is hereby allowed.
2. The Accused Arun Shivaji Gawali hereby released on bail on his executing P.R. Bond of Rs.50,000/- with one surety in like amount, in respect of Crime No.345/2025 for the offence under Sections 303(2) & 317(4) of the Bharatiya Nyaya Sanhita, 2023, registered at Supa Police Station, Tal.Parner, Dist.Ahmednagar.
3. The Accused shall not directly or indirectly try to contact the Informant as well as the witnesses of the Prosecution.
4. The Accused shall attend the Supa Police Station, Tal.Parner, Dist.Ahmednagar on the receiving the written intimation from Investigating Officer.
5. The Accused shall not tamper evidence and/or try to pressurize any prosecution witnesses.
6. The Accused shall furnish copy of his Aadhar Card, authenticated address proof along-with address proofs and mobile numbers of two of his relatives other than surety.
7. The Accused shall not misuse the bail granted to him and shall not indulge any other or similar kind of offences.

Date : 29.01.2026

(Kedar S. Kulkarni)
Additional Sessions Judge,
Court No.05, Ahmednagar.