

MHAH070002332026

**ORDER BELOW EXH-1 IN CRI. BAIL APPLICATION****NO.81/2026.****(Nilesh Balasaheb Shelake +1 Vs. The State of  
Maharashtra)**

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**Cr.No.118/2026 of Sangamner City Police Station, u/s. 310(4), 310(6) & 111 of  
B.N.S.**  
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The applicants Nilesh Balasaheb Shelake and Anmol Kuranwashi Chavan, accused of preparation for dacoity and organised crime, have prayed for regular bail.

2] It has been alleged that the Sangamner City Police received a secret information about suspicious presence of few persons near Kolhewadi road of Sangamner city. At around 2:30 a.m. the police went to the said spot and found 6 persons suspiciously standing near motorbikes at Kolhewadi road. They started running away after seeing the police. Five of them were caught by the police while one managed to get away. They were unable to tell the reason behind their presence at odd hours. They did not properly answer the questions of the police. Upon their body search the police found objection articles like; chopper, gupti, plier, spanner and chilly powder. Hence, the applicants and the other accused were taken to the police station and arrested. Some of the accused being history sheeters, the investigation officer later invoked Section 111 of the B.N.S.

3] It has been submitted on behalf of the applicants that they are innocent and that they have been implicated on the basis of false information. They undertake to attend case dates regularly, once admitted to bail.

4] The application has been resisted by the I.O.(Exh.8) and the Ld. A.P.P. (Exh.7) mainly on the grounds that the alleged offence is serious in nature, that the investigation is incomplete, that several serious offences are pending against the applicant Anmol and the co-accused, that several stolen motorcycles have been seized from the co-accused etc.

5] Heard both the sides. The alleged offence is undoubtedly serious. The punishment prescribed for it ranges from 5 years upto imprisonment for life. However, segregation of the material allegations against the various accused, reveals that history sheeters are only the co-accused Salim Akbar Pathan, Halim Akbar Pathan and the applicant Anmol Chavan. The applicant Nilesh Shelake is not a history sheeter. The say Exh.No.8 reveals that objectionable articles were found at the time of the incident, only in possession of the co-accused and not with the applicants.

6] There is no allegation that any stolen property was found in the applicant's possession during their arrest. During investigation the police are said to have recovered few stolen motorcycles from the co-accused Salim Pathan. Nothing has been recovered from the applicants.

7] There are no reported criminal antecedents of the applicant Nilesh Shelake. The invocation of Section 111 of B.N.S. may be justifiable in the case of the co-accused but not in the case of the applicant Nilesh Shelake. He being a local resident, securing his presence before the police as well the Court should not be a problem. Whatever the remaining investigation with regard to him, can be carried out by enforcing his attendance at the police station. Bail can not be denied only because of this one incident of applicant's association with the co-accused who may be history sheeters at the police station. I am therefore, convinced to admit the applicant Nilesh Shelake to regular bail.

8] As regard the applicant Anmol Chavan, the say Exh.8 reveals that as many as six other offences are pending against him. With such a background his arrest alongwith other history sheeters during odd hours, shows that there is a substance in the allegation against him and that his case can not be equated with that of Nilesh Shelake. There is a possibility of the applicant fleeing from justice and even tampering with the evidence, as apprehended by the Ld. A.P.P. In such a situation the valuable decision in the case of ***Prabhakar Tewari Vs. State of U.P.*** [2020 STPL 2412 SC], which arises from facts that are altogether different from the case in hand, can not be availed by the applicant Anmol.

9] I am thus convinced considering the gravity of the matter and above discussed aspects that the applicant Anmol does not deserved a bail.

**Order**

- (i) The application is hereby partly allowed.
- (ii) The bail request of applicant No.2 Anmol Kuranwashi Chavan stands rejected.
- (iii) The applicant No.1 Nilesh Balasaheb Shelake, [accused in Cr.No.118/2026 of Sangamner City Police Station] be released on bail upon his furnishing a PRB & SB of ₹ 25,000/-, on the following conditions:
- (a) The applicant shall attend Sangamner City Police Station for continuous 07 days from the date of his release, at such time as may be required by the IO and even thereafter as and when required by the IO;
- (b) The applicant shall not indulge in any sort of activities that tend to pressurize the witnesses or tamper with the evidence.
- (c) The applicant shall attend in accordance with the conditions of bond executed under Ch. XXXIII of Cr.PC.
- (iii) Bail before the Ld. JMFC, Sangamner.

Date :04.04.2026  
Place : Sangamner

**(Vivek B. Gavhane)**  
Addl. Sessions Judge,  
Sangamner.