



Criminal Bail Application No. 3064/2026

Omkar Sadanand Gaikwad Vs State Of Maharashtra (Kothrud Police Station)

A. CASE DETAILS

- | | |
|---------------------------------------|---|
| 1. FIR Number and Date | CR No. 355/2025
dated 12/12/2025 |
| 2. Police Station, District and State | Kothrud Police Station,
Pune. |
| 3. Sections invoked | U/s. 309(6), 115(2),
351(2), 352, 3(5) of
Bharatiya Nyaya Sanhita,
2023. |
| 4. Maximum punishment prescribed | Upto 10 years. |

B. CUSTODY AND PROCEDURAL COMPLIANCE

- | | |
|--------------------------------------|----|
| 1. Date of arrest | NA |
| 2. Total period of custody undergone | NA |

C. STATUS OF TRIAL

- | | |
|---|--|
| 1. Stage of proceedings | Chargesheet is filed
(investigation/chargesheet/cognizance/ against the co-
framing of charge/trial) accused person. |
| 2. Total No of witnesses cited in the chargesheet | NA |
| 3. Number of prosecution witness examined | NA |

D. CRIMINAL ANTECEDENTS

- | | | |
|---|--------------------------------------|----|
| 1 | FIR No. and Police Station | NA |
| 2 | Sections | NA |
| 3 | Status (pending/acquitted convicted) | NA |

E. PREVIOUS BAIL APPLICATIONS

- | | | |
|---|------------------|----|
| 1 | Court | NA |
| 2 | Case No. | NA |
| 3 | Outcomes of Case | NA |

F. COERCIVE PROCESSES

- | | | |
|---|---|----|
| 1 | Whether any non-bailable warrant was issued | NA |
| 2 | Whether declared a proclaimed offender | NA |

Appearance:-

Ld. Advocate Shri. Anup Pande, for Applicant/
Accused.

Ld. APP Shri. Anilkumar Varma, for the state.

ORDER BELOW EXH. 1**(Date: 27/07/2026)**

By this application u/S.482 of the BNSS, 2023, the applicant- **Omkar Sadanand Gaikwad** has applied for Bail in connection with C.R. No. 355/2025 registered with Kothrud Police Station, Pune for the offences punishable under Sections

309(6), 115(2), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. The Investigating officer through learned APP for the State has filed his say opposed the bail application.

3. I have perused the record and heard the learned Advocate for the Applicant / Accused and learned APP for the State.

4. The learned counsel for the Applicant/Accused submits that the Applicant has been falsely implicated in the present crime solely on account of being the cousin of co-accused Nilesh Gaywal. It is further submitted that the Applicant is willing to fully cooperate with the Investigating Agency, subject to being granted the benefit of anticipatory bail. It is also submitted that the Applicant is not the prime accused. In view of the allegations levelled against him, no recovery or seizure is pending from his possession or custody. The Applicant is a permanent resident of Pune and has no criminal antecedents. In light of the above, the learned counsel prays that anticipatory bail may be granted to the Applicant.

5. *Per contra*, the learned APP for the State vehemently opposed the application. It is submitted that the present

application is not maintainable as the Applicant is a wanted/absconding accused named in the charge-sheet filed under the provisions of the BNSS. It is further submitted that the supplementary charge-sheet is yet to be filed as the investigation *qua* the present Applicant is incomplete. The prosecution seeks to ascertain the user of the vehicle from the Applicant, for which his custodial interrogation is essential. In view of the above, the learned APP prays that the present application for anticipatory bail be rejected.

6. Upon perusal of the record and the case diary, and after hearing both sides, it is observed that the prosecution has filed the charge-sheet before the concerned Court vide RCC No. 1186/2026. In Column No. 14(xix) thereof, the present Applicant has been shown as a “wanted accused”.

7. It has been contended by the learned counsel for the Applicant that the application for anticipatory bail is technically maintainable. However, the consistent view taken by the Hon’ble Superior Courts is that such applications filed by a “wanted accused” are ordinarily to be rejected as a matter of general rule.

8. Further, from the record it appears that the Applicant has evaded the process of law. Therefore, the Applicant has failed to make out a case warranting exercise of discretion in his favour for grant of anticipatory bail.

9. The prosecution has also submitted that further investigation is required to ascertain whether the vehicle allegedly used in the commission of the offence was involved in any other crime, and for that purpose the custodial interrogation of the Applicant is necessary.

10. Although the antecedents of the Applicant are stated to be clear, considering that he has been shown as a wanted accused in the charge-sheet referred to above, I am not inclined to grant anticipatory bail to the Applicant. Hence, the order.

ORDER

1. Application (Ex.1) is rejected.
2. Inform the Police Station concern and victim / informant by sending a copy of this order.
3. In terms of above, Application (Exh.1) stands disposed.
4. Case diary is returned to the learned APP.

(Dictated and pronounced in open court)

Date: 27/07/2026

(S. B. Bhansali)
Additional Sessions Judge,
Pune.

Certificate

I affirm that the contents of this PD.F. file order are same word for word as per original order.

Name of Steno. :- V. A. Chaudhari (Steno, Grade-I)

Court Name :- S. B. Bhansali
D.J.-4 & Addl. Sessions Judge, Pune.

Date :- 27/07/2026

order signed by PO. on :- 27/07/2026

order uploaded on :- 27/07/2026