



Cri.Bail Application No.18/2026
Rutik Liladhar Gedam .Vs. State Of
Maharashtra through P.S.O.PS
Wani

ORDER PASSED BELOW EXHIBIT-1
(Date: 15.04.2026)

The applicant has filed the present application under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of Regular Bail in crime No.735/2025 for the offences punishable under section 331(6), 309(6), 310(2), 61(2) of B.N.S.S. filed by P.S. Wani as per the applicant this is his first bail application.

2] Say of prosecution was called to which the prosecution failed to file the say. I.O filed his say at Ex.6 in which he opposed the application contending the ground that the investigation is still in progress as one of the accused is yet to be arrested and there is likelihood that the accused persons were commit similar type of offence and may tamper with the prosecution witnesses and therefore, opposed the application.



3] On the other hand, the learned counsel for the accused Shri. R.K. Shaikh/Shri. J.B. Khan submitted that the accused were arrested on 05/12/2025 and they were in M.C.R. since 08/12/2025. The charge-sheet in respect of the present accused is filed on 26/02/2026. The I.O made enquiry and confession of the accused is recorded in which he has handed over Rs.10,000/- to the I.O which is seized by him. One vehicle of the accused was seized and the accused was arrested on suspicion. No test identification parade is conducted. In C.C.T. V. Footage number of vehicle is shown, but no investigation is made regarding the owner of the vehicle. Already one of the accused is released on bail and therefore, on the parity the present accused is entitled for the bail.

4] After hearing both the side no doubt the accused is in custody since 05/12/2025 and in M.C.R. since 08/12/2025. The charge-sheet against the accused are filed on 26/02/2026 and one of the accused Vaishali is released on bail.

5] As far as the investigation in the nature of



offence is concerned, though charge-sheet is filed on 26/02/2026, but still investigation is in progress as two of the accused are yet to be arrested. Investigation regarding the same is still in progress. The nature of offence is serious as material recovery of gold has been done at the instance of the accused and the other co-accused. The accused persons are arrested on the basis of C.C.T.V. Footage in which the vehicle number is apparent and on the strength of that only they were arrested.

6] There appears to be active role played by the present accused for the commission of the offence as the vehicle and money is seized at his instance. Considering the nature of the offence, the maximum punishment for offence punishable under section 310(2) i.e. punishment for dacoity (old I.P.C S.395) is having the maximum punishment of life.

7] The objection as raised by the I.O that the accused in case if released on bail may commit similar type of offences and may tamper with the prosecution witnesses. Certainly, looking to the circumstance and the syndicate in which the accused



have operated in commission of the offence, the possibility cannot be ruled out that the accused may commit similar type of offences if enlarge on bail. Moreover, the accused is not entitled for release on bail on the ground of parity as one of the accused is released on bail. Therefor, as the material investigation is still in progress and only for the reason that against the arrested accused charge-sheet is filed cannot be taken as change in circumstance entitling the accused to be released on bail. Therefore, the accused failed to made out the case for his release on bail and therefore, I **reject** the application and pass the following order:-

ORDER

Bail application stands rejected.

KELAPUR

DATE: 15.04.2026

(M.A. Kothari)

Additional Sessions Judge
Kelapur