

ORDER BELOW EXH.4

The applicant, **Omkar Anil Shinde**, who is accused no.2 has filed this first application for regular bail under section 483 of the BNSS in respect of his arrest in CR No.13/2026 registered with Bibwewadi police station under sections 109(1), 351(4), 189(2), 189(4), 191(2), 191(3), 190 of the BNS, under sections 4(25) of the Arms Act, under section 37(1) read with section 135 of the Maharashtra Police Act, under Section 7 of the Criminal Law Amendment Act.

2. The applicant is arrested on 02/02/2026 and was remanded to police custody till 06/02/2026, and since then, he is in magisterial custody.

3. **Prosecution case is as under:-**

The incident happened on 27/01/2026 in the night at 10:00 PM near Maharani Saree Shop at Lane No.2, Katraj Road, Pune. At that time, the informant, Somasingh Mansingh Jodha Rathod, while he was parking his vehicle in front of his house at 10:00 PM, heard some noise of shouting from Maharani Saree Shop. So, the informant went towards that shop and saw that 3 unknown persons with a cap were assaulting his brother, Bharatsinha by sharp weapon. At that time, those two persons were assaulting by sharp weapons, and the 3rd person assaulted his brother Bharatsinha by fists and kick blows. At that time the

injured Bharatsinha ran away from that spot in order to save himself in Anmol Matching Shop. At that time, 3 unknown persons entered that Anmol Matching Shop and assaulted Bharatsinha by sharp weapon on his head and due to which he was severely injured. Thereafter, all the 3 persons threatened shopkeeper Prakash Malviya, and they ran away by brandishing sharp weapons in their hands and creating terror in that area, so the FIR.

4. The investigating officer has raised objections to grant bail mainly on the grounds that it is revealed from CCTV camera installed at Maharani Emporeum Saree Center that unknown 6 persons had come there and had assaulted the witness with sharp weapons and two scythes are seized as per statement of accused Ashish Shinde. In the TI parade informant Somsinha Jodha Rathod and injured Bharatsinha Jodha Rathod as well as eye witness Prakash Malviya have identified applicant. If the bail is granted to the applicant he may assist absconding accused to conceal themselves. The investigating officer has expressed apprehension that if applicant is granted bail there is danger to the life of informant and his relatives and the applicant may abscond during trial. Thus, on such grounds, the investigating officer has prayed for rejection of this application.

5. Heard learned advocate Navid Mulani for the applicant and learned APP S. S. More.

6. It is necessary to mention here that the first bail application of co-accused Abhishek Kshirsagar was rejected by this court, but today his second bail application is granted as investigation is completed and charge-sheet is filed.

7. Now, the record and reply of investigating officer shows that the investigation is completed and charge-sheet is filed in learned trial court against applicant and other one accused. The charge-sheet is committed to this court and it is registered as Sessions Case No.414/2026. The record further shows that the injured Bharatsingh Rathod is discharged from Bharati Vidhyapeeth Hospital. The injury certificate further shows that the various grievous injuries were caused to him and now, he is out of danger. The weapons used in this crime such as scythes are seized, memorandum panchanama of accused are recorded, the statements of the witnesses are also recorded, the TI parade was conducted and the investigation is completed. The informant nor the other witnesses have disclosed in their statements that the applicant was involved in assaulting the informant and the injured by scythe. The informant and injured Bharatsingh Jodha Rathod have identified applicant in test identification parade. It is clear from such identification that applicant was involved in incident of assault. But, as the investigation is completed, injured is out of danger and sufficient opportunity to the investigating machinery to interrogate with applicant, moreover, the applicant is behind bars for more than 4

months so, it would be just and proper to grant bail to the applicant on stringent conditions. As a result, the following order:

ORDER

1. The bail application at Exh.4 is allowed.
2. The applicant **Omkar Anil Shinde** be released on bail on executing personal bond of Rs. 50,000/- and surety of like amount in connection with in CR No.13/2026 registered with Bibwewadi police station under sections 109(1), 351(4), 189(2), 189(4), 191(2), 191(3), 190 of the BNS, under sections 4(25) of the Arms Act, under section 37(1) read with section 135 of the Maharashtra Police Act, under Section 7 of the Criminal Law Amendment Act., on following conditions-
 - a The applicant shall attend the trial on each and every date unless exempted;
 - b The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
 - c The applicant shall not hamper or tamper the evidence;
 - d The applicant shall not commit such similar offence;
 - e The applicant shall not meet informant and other witnesses till completion of trial:

- f** The applicant shall not enter the jurisdiction of Bibvewadi police station till completion of trial except attending the court and police station;
 - g** The applicant shall not leave India without permission of this Court;
- 3.** In case of breach of above conditions the investigating officer is entitled for cancellation of bail.

(Dictated and pronounced in open Court)

Date : 20/06/2026
Pune

(D.R. Shetty)
Additional Sessions Judge, Pune.

CERTIFICATE

I affirm that the contents of PDF file Judgment are same word for word as per original Judgment.

Name of Steno	R.L. Bhunyar (Stenographer G-I)
Court Name	D.R. Shetty Additional Sessions Judge, Pune.
Date of Order/Judgment	20/06/2026
Order/Judgment signed by Presiding Officer on	20/06/2026
Order/Judgment uploaded & PDF on	20/06/2026