



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1026 BAIL APPLICATION NO.1235 OF 2025

HARSH ANTESHWAR KAMBLE

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for Applicant : Mr.V.D.Sapkal, Senior Advocate i/b.
Mr.S.R.Sapkal

APP for Respondent-State : Mr.S.K.Shirse

...

WITH

BAIL APPLICATION NO. 1236 OF 2025

1] SANDEEP BHAUSAHEB SHIRSAT

2] NIKLESH LALAJI KAMBLE

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for Applicant : Mr.V.D.Sapkal, Senior Advocate i/b.
Mr.S.R.Sapkal

APP for Respondent-State : Mr.S.K.Shirse

Advocate for assist to P.P. : Adv.A.P.Lohade &
Adv.S.A.Kothari

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 17.07.2025

P.C. :

1] Leave is granted to correct the name of
applicant no.2 in Bail Application No.1236 of 2025.

2] Heard. For the reasons stated in the
Applications for assist to P.P., the same are allowed.

Criminal Applications are disposed of accordingly.

3] Heard learned counsel for the applicants and the learned APP for the respondent-State.

4] The applicants are seeking bail as they are arrested on 08.04.2025, 07.04.2025 and 09.04.2025 respectively, in connection with Crime No. 147/2025, registered with Satara Police Station, Chhatrapati Sambhajnagar, for the offence punishable under Sections 109, 115 (2), 118 (1), 127 (2), 140 (1), 3 (5), 310 (2), 61 (2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3, 25 of Arms Act, 1959.

5] The learned counsel for the applicants relies upon the order dated 13.06.2025 passed by this Court in Bail Application No. 809 of 2025 and submits that this Court, by order dated 13.06.2025, has granted bail in favour of the co-accused, namely, Swapnil Kisanrao Gaikwad, before filing of the charge sheet. He further submits that the investigation in the matter is complete and the charge sheet is filed. The role of the present applicants is similar to the role of the applicant, namely, Swapnil Kisanrao Gaikwad in Bail Application No.809/2025 and this Court has granted bail in favour of Swapnil Gaikwad. Considering the said fact, the bail should be granted in favour of the applicant.

6] *Per contra*, the learned APP points out that the recovery of revolver along with revolver license is made at the instance of the accused no.1 Sandip and CCTV shows abduction at the instance of the applicants, so also, there is evidence of eye witness showing abduction at the instance of the applicants. The learned APP and the learned counsel for the assist to P.P. submit that the role of the accused no.1 Sandip is higher than other accused. Considering the said fact, the bail should not be granted in favour of the applicants.

7] This Court, by order dated 13.06.2025 in Bail Application No.809/2025, has granted bail in favour of the co-accused and has observed as under :

6] Having considered the rival submissions, so also, considering the injury certificates which shows simple injuries and that both the parties are in the same business of construction and over implication cannot be ruled out. Considering all aspect of the matter, further custody of the applicant is not required. There are no criminal antecedents against the present applicant. The applicant is in custody from 09.04.2025 and the investigation in the matter is nearly complete. No recovery is to be made at the instance of the applicant.

8] Considering the order dated 13.06.2025 passed by this Court in favour of co-accused, so also, considering that the investigation in the matter is complete and the charge sheet is filed and considering that both the parties

are in the same business of construction and over implication cannot be ruled out. There are no criminal antecedents against the present applicants. The applicants are in custody from 08.04.2025, 07.04.2025 and 09.04.2025, respectively. Considering all aspect of the matter, further custody of the applicants is not necessary. The applicants are granted bail. The applications are allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No. 147/2025, registered with Satara Police Station, Chhatrapati Sambhajanagar, for the offence punishable under Sections 109, 115 (2), 118 (1), 127 (2), 140 (1), 3 (5), 310 (2), 61 (2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3, 25 of Arms Act, 1959, on furnishing PR bond of Rs.20,000/- each, with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicants, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the trial Court.

d] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicants, upon being released on bail, shall place on record of the trial Court the details of their Contact Number and residential address with updates in case of any change.

F] The applicants shall not involved in similar type of offence.

9] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE