

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 3715 OF 2024

Laxman Gokul Satpute ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

WITH

INTERIM APPLICATION NO. 1641 OF 2025

IN

CRIMINAL BAIL APPLICATION NO. 3715 OF 2024

Rahul Tanaji Patil. ... Applicant.

In the matter between

Laxman Gokul Satpute ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

WITH

CRIMINAL BAIL APPLICATION NO. 5428 OF 2024

Ganesh Nagnath Jadhav ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

WITH

INTERIM APPLICATION NO. 1746 OF 2025

IN

CRIMINAL BAIL APPLICATION NO. 5428 OF 2024

Rahul Tanaji Patil. ... Applicant.

In the matter between

Ganesh Nagnath Jadhav ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

Mr Chetan S. Damre, Advocate for the Applicant in BA/3715/2024.

Mr. Swaraj Jadhav i/b. Mr. Jagadish Anand Dagade, for the Applicant in BA/5428/2024.

Mr. Amit A. Palkar, APP for Respondent/State in BA/3715/2024.

Mr. Vinod Chate, APP for Respondent/State in BA/5428/2024.

CORAM : ASHWIN D.BHOBE, J.

DATE : 9th JUNE, 2025.

P.C. :

1. Heard Mr. Chetan Damre, learned Advocate for the Applicant in BA No. 3715 of 2024, Mr. Swaraj Jadhav, learned Advocate for the Applicant in BA No. 5428 of 2024, Mr. Amit Palkar, learned APP for State in BA No. 3715 of 2024 and Mr. Vinod Chate, learned APP for State in BA No. 5428 of 2024.

2. By the present Applications filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), both the Applicants who are accused in Crime No. 294 of 2017 registered at Pangari Police Station, District Solapur for the offence punishable under Section 302, 307, 120(B), 147, 148, 149, 323 of the Indian Penal Code and Section 4(25) of the Arms

Act are before this Court seeking regular bail.

3. Case of the prosecution is that the Applicant (Accused No. 5) in Criminal Bail Application No. 3715 of 2024 and Applicant (Accused No. 3) in Bail Application No. 5428 of 2024) alongwith nine other co-accused assaulted Krishna Patil, Manek Satpute and Sudam Chavan by sharp weapon on account of previous enmity. Krishna Murlidhar Patil and Manik Kundalik Satpute succumbed to the injuries suffered by them in the said assault. Sudam Shankar Chavan was seriously injured in the said incident.

4. Both the Applicants were arrested on 25th November, 2017 and they are in jail since then (except for short period during COVID-19 Pandemic).

5. Hanumant Shrirang Borade (Accused No. 7) in the said crime who is alleged to have used Sword during the said assault on the deceased and injured, is enlarged on bail pursuant to the order dated 4th April, 2025 passed by this Court in Criminal Bail Application No. 717 of 2025. He has been released on bail on the sole ground of long incarceration of 8 years.

6. Mr. Chetan Damre, learned Advocate for the Applicant in BA/3715/2024 and Mr. Swaraj Jadhav, learned Advocate for the Applicant in BA/5428/2024 submit that the case of the Applicants in the context of their arrest and incarceration is identical to the case of the other accused-Hanumant Borade. They submit that the role assigned to Hanumant Borade in the said Crime is more serious than the role of the Applicants herein. They submit that the Applicant (Accused No. 5) is alleged to have assaulted the victims by fists and blows, whereas the Applicant (Accused No. 3) is alleged to have assaulted the victims by use of chilly powder. They therefore, submit that they would be entitled to the parity with reference to their case of long incarceration. They rely on the order dated 4th April, 2025 passed in Criminal Bail Application No. 717 of 2025 in the case of Hanumant Borade.

7. Learned APP submit that the subject crime is a serious crime of double murder and there are serious injuries as far as Mr. Sudam Chavan is concerned. He submits that the Applicants

would not be entitled to bail considering the nature of allegations against them and the material available against them. Learned APP fairly states that the Applicants are in jail since 25th November, 2017 and the trial has not commenced.

8. I have heard the learned Counsel and with their assistance, perused the record.

9. Mr. Hanumant Bordae (Accused No. 7) in the aforesaid crime has been released on the sole ground of long incarceration i.e. he being in jail for about 8 years. Similar is the case herein of the Applicants. Applicants having pressed into service right to have speedy trial and have submitted that they are in jail for a period of about 8 years, Applicants would be justified in pressing into service the right to be enlarged on bail on the ground of long incarceration.

10. Mr. Chetan Damre and Mr. Swaraj Jadhav, learned Advocate for the Applicants rely on the orders of this Court in the case of *Vikas Chandrakant Patil v/s. State of Maharashtra*¹

¹ Criminal Bail Application No. 1963 of 2025 decided on 9th May, 2025

and *Niklesh Prakash Patil v/s. State of Maharashtra*² to submit that this Court has considered in detail the law on long incarceration.

11. In the facts and circumstances of the present case, mainly the Applicants being in jail for a period of 8 years and trial in Sessions Case No. 19 of 2018 not having progressed, further the accused Hanumant Borade who is alleged to have a serious role in the crime, being released on bail on the ground of long incarceration, I find that the Applicants would be entitled to be released on bail on the sole ground of long incarceration.

12. In view of the above, both Bail Applications are allowed, subject to the following conditions :

(a) The Applicants in both Criminal Bail Applications are directed to be released in Crime No. 294 of 2017 registered with Pangri Police Station, District Solapur for offence punishable under Section 302, 307, 120(B), 147, 148, 149, 323 of the Indian Penal Code and Section 4(25) of the Arms Act on furnishing P.R.

² Criminal Bail Application No. 1208 of 2025 decided on 8th May, 2025

Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Barshi.

(b) The Applicants in both Criminal Bail Applications shall not interfere/influence any of the witnesses and/or tamper with the evidence.

(c) The Applicants in both Criminal Bail Applications shall attend the Court on each date of hearing in Sessions Case No. 19 of 2018 pending before the Additional Sessions Judge, Barshi, unless exempted.

(d) The Applicants in both Criminal Bail Applications shall not enter into limits of Taluka Barshi except to attend the dates before the trial Court.

13. Both the Applications stand disposed of accordingly.

14. In view of the disposal of the Criminal Bail Applications, both the Interim Application stand disposed of accordingly.

[ASHWIN D.BHOBE, J.]