

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4732 OF 2025**

Karan Sudhakar Kangere ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Mahesh Funde, *for the Applicant.*

Ms. Manisha R. Tidke, *APP for the State-Respondent.*

**CORAM DR. NEELA GOKHALE, J.
DATED: 23rd DECEMBER 2025**

PC:-

1. By order dated 19th December 2025, this Court had directed Dr. Trupti Magare of Central Hospital, Ulhasnagar to explain the notings in her report, which was very ambiguous. Today, Ms. Manisha Tidke, learned APP, has placed on record the death certificate of Dr. Trupti, who passed away on 2nd November 2025. Hence, there is no question of any report being submitted by her. The death certificate is taken on record and marked as 'X' for identification. She has also

tendered a fresh medical report pertaining to the injured victim.

2. The Applicant seeks his release on bail in connection with C.R. No. 543 of 2024 dated 17th October 2024 registered with the Kalyan Taluka Police Station, Thane Rural for the offences punishable under Sections 118(2), 118(1), 189(2), 189(4), 190, 191(3), 333 and 324(4) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”) and Sections 137, 1 and 3 of the Maharashtra Police Act, 1951.

3. The case of the prosecution, in brief, is that on 16th October 2024, at around 12:00 a.m. in the night, while the First Informant was sleeping in the room with his friend, three to four persons came and banged the First Informant’s door. The First Informant opened the door and they entered the house. They were carrying iron rod and other iron weapons in their hand. They assaulted the First Informant and his friend with the iron rod. Consequently, the First Informant suffered injuries on his head. Two persons also assaulted him on his

legs and back. After assaulting them, all of them ran away. The Applicant and co-accused were arrested pursuant to registration of the FIR.

4. The Applicant made an application seeking bail before the Additional Sessions Judge, Kalyan. However, by order dated 31st July 2025, the said application was rejected. Hence, the Applicant is before this Court for the relief as prayed.

5. At the very outset, Mr. Mahesh Funde, learned Counsel for the Applicant, submits that the main accused namely Vikas Kailash Ahire, who was the person committing the overt act of beating the First Informant with an iron rod on his head, was granted bail by the Trial Court. He submits that considering that the Applicant's role is much lesser than that of the main accused, on the principle of parity, the Applicant be also enlarged on bail. He also submits that there is no material on record to demonstrate the presence of the Applicant along with the main accused, Vikas Ahire. He thus, prays that the Applicant be enlarged on bail.

6. *Per contra*, Ms. Tidke has placed on record the Injury Certificate pertaining to the injured victim. The Injury Certificate indicates that the injuries are grievous and are on the vital parts. The medical certificate also reveals *“Undisplaced fracture of right frontal bone noted extending into roof of orbit”*. There are other injuries as well. She states that the Applicant also has two antecedents relating to offences concerning bodily injuries. She thus, prays that the Bail Application be rejected.

7. I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

8. Admittedly, the main accused i.e. Vikas Ahire, whose name surfaced in the statement of the witnesses as well as the statement of the injured victim, is granted bail by the Trial Court. The role of Vikas Ahire is of higher degree than that of the present Applicant, as his name appears in the statement of the witnesses as the person having hit the victim with the iron

rod. In these circumstances, I am of the view that on the principle of parity, the present Applicant also be enlarged on bail. In any case, there is no material on record which places the present Applicant at the scene of the incident as none of the witnesses including the First Informant have taken his name in their statement.

9. In view of the aforesaid, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.

- iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;
- iv) The Applicant shall not leave India, without permission of the trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

10. Application is allowed in the above terms and is accordingly disposed of.

11. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)