



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

BAIL APPLICATION NO.2433 OF 2025

Rahul s/o Prabhakar Ragade ... **APPLICANT**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Mr. N.S. Ghanekar, Advocate for applicant
Ms R.R. Tandale, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 11th FEBRUARY, 2026

PER COURT :

1. The applicant seeks release on regular bail in connection with Crime No.802/2024, registered with CIDCO Police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 103(1), 109, 189(2), 190, 191(2), 191(3), 238 of the Bhartiya Nyaya Sanhita, 2023, Sections 4/25 of the Arms Act and Sections 37(1), 135 of the Maharashtra Police Act.

2. The prosecution case is that, on 5/12/2024 at about 8.30 p.m., the accused Nos.1 to 5 along with other accused persons, by forming unlawful assembly, assaulted deceased Vikas Dnyandeo Kadge by means of knife, sword, fighter and committed his murder and also caused life threatening injuries to Gautam Jadhav.

3. Learned counsel for the applicant submits that, the applicant has been falsely implicated in the case. At the time of lodging the F.I.R., the assertion is made as against the present applicant about instigation by the present applicant, which has been further improved, and the assault with fighter is attributed. The inconsistencies in the statement of the prosecution witnesses entails the applicant to be admitted to bail. In any case the investigation is complete and further custody of the applicant would be unjustified.

4. Per contra, learned A.P.P. vehemently opposed the application, submitting that the presence of the applicant on the spot is undisputed. The presence of the accused is sufficient when serious offence of murder is committed, which disentitles the applicant to be admitted to bail.

5. Upon hearing the learned counsel for the applicant and learned A.P.P., and on perusal of the material on record, prima facie, indicates material variance in the statements of every witnesses. Although the assertion of several persons being injured is levelled, however, their respective injury certificates are not part of the investigation papers. The role is attributed to the real brother of the present applicant i.e. Banti, who has inflicted knife blow, which is the cause of death. Prima facie, it appears to be a case of over-implication and as such, further incarceration of the applicant would be unjustified.

6. Furthermore, the co-accused namely Anil, who is attributed similar role is enlarged on bail by this Court in Bail Application No.597/2025 vide order dated 28/4/2025. Hence, on the ground of parity also the applicant deserves to be released on bail.

7. Nevertheless, the investigation is complete for all intents and purpose. The charge sheet is filed. Considering the number of witnesses the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period. Hence, further incarceration of the applicant would be unjustified.

8. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Rahul Prabhakar Ragade be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses in any way.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
 - (c) The applicant shall not enter the limits of CIDCO Police Station, Chhatrapati Sambhajnagar till conclusion of the trial, except for attending the dates in the trial.
- (iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall decide the trial on its own merits and in accordance with law.

(SACHIN S. DESHMUKH, J.)