



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2553 OF 2025

KIRAN SANJAY KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondents-State : Mr. B. B. Bhise
Advocate for Applicant in Cri.Appln :- Mr. N. B. Narwade (Assit to PP)

WITH
CRIMINAL APPLICATION NO. 119 OF 2026
IN BA/2553/2025

CORAM : SACHIN S. DESHMUKH, J.

Date : 14th January, 2026

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 20.09.2024 bearing Crime No. 722 of 2024 registered with Ahmednagar Taluka Police Station, Dist. Ahmednagar for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 and Section 4/25 of Arms Act, 1959.

2. According to the prosecution, on 19.09.2024, following immersion of a Ganesh, the informant was in a hotel when a group

of 7-8 residents from Arangaon village launched a sudden assault. The assailants, armed with sickles, swords, and iron rods, accused the informant of hiding individuals within the premises. During the attack, Dipak Salve allegedly struck the informant on the head with a sickle, while Kiran Kamble and Pravin Kamble used swords to strike his arms, resulting in severance of right hand thumb.

3. The learned counsel for the applicant submits that the applicant is falsely implicated in the crime. It is contended that the FIR was lodged belatedly. Furthermore, the learned counsel submits that the informant's supplementary statement was recorded with exaggerated versions, which indicates a case of over-implication. The co-accused in the crime have already been granted either regular or anticipatory bail. The investigation is complete and the charge-sheet is filed. Hence, continued incarceration of the applicant is unjustified. Therefore, the counsel prayed to allow the application for bail.

4. The learned APP has opposed the application and submitted that the crime is serious in nature and there is sufficient material on record to establish the complicity of the applicant. If the applicant is enlarged on bail, there is every possibility of tampering with the prosecution evidence. Hence, prayed to reject

the application.

5. Upon considering the submission of both the sides and perusing the material on record, including the charge-sheet, it appears that the co-accused were the primary assailants. The record prima facie indicates that the applicant did not play an active role in assaulting the informant, nor did he use any weapons during the alleged incident.

6. The applicant is in custody since 27.05.2025. The co-accused are enlarged on bail by this Court vide order dated 25.07.2025 in Bail Application No. 1138/2025 and the order dated 28.11.2024 in Bail Application No.2008/2024, whose role is similar to that of the present applicant. Therefore, the applicant is entitled to enlarge the bail on the ground of parity.

7. Furthermore, the investigation of the crime is complete for all intent and purposes. Resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

8. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favor of the applicant. The learned APP's apprehension about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions. In that view of the matter, the applicant deserve to be enlarged on bail. Hence, the following order :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Kiran Sanjay Kamble, be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 722 of 2024 registered with Ahmednagar Taluka Police Station, Dist. Ahmednagar for the offences punishable under Sections 109, 189(2), 191(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 and Section 4/25 of Arms Act, 1959, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
 - (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (iii) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (iv) Resultantly, the criminal application also stands disposed of.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi