



IN THE HIGH COURT OF JUDICATURE OF BOMBAY

BENCH AT AURANGABAD

BAIL APPLICATION NO.239 OF 2026

1. Gopal Appasaheb Mapari.

2. Sharad Ramrao Mapari

... APPLICANTS

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....

Mr. S.B. Ghatol Patil, Advocate for applicants

Mr. B.B. Bhise, A.P.P. for respondents, assisted by

Mr. R.V. Gore, Advocate for informant

.....

WITH

CRIMINAL APPLICATION NO.831 OF 2026 IN
BAIL APPLICATION NO.239 OF 2026

Vilas Ashok Niware

... APPLICANT

VERSUS

The State of Maharashtra & ors.

... RESPONDENTS

.....

Mr. R.V. Gore, Advocate for informant

Mr. B.B. Bhise, A.P.P. for respondent No.1

Mr. S.B. Ghatol Patil, Advocate for respondents No.2 and 3

.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 26th FEBRUARY, 2026

PER COURT :

1. Criminal Application No.831/2026 is allowed. The original informant is permitted to assist learned A.P.P.
2. The applicants seek release on regular bail in connection with Crime No.452/2025, registered with Paithan Police Station, District Chhatrapati Sambhajnagar, for the offences punishable under Sections 109, 126(2), 115, 352, 189(2), 191(3), 190 of the Bhartiya Nyaya Sanhita, 2023 and Sections 4/25 of the Arms Act.
3. Learned counsel for the applicants submits that, the applicants were not named in the F.I.R. However, the applicants have been implicated on the basis of supplementary statement, which is recorded on 14/1/2026, after a gap of unexplained delay of more than 20 days. In any case, the allegations are general in nature with instigation. It is a case of over-implication. The investigation is almost complete. As such, further incarceration of the applicants would be unjustified.
4. Per contra, the learned A.P.P. has opposed the

application, submitting that the complicity of the applicants is evident and the applicants are indulged in serious offence. As such, not entitled for bail.

5. Upon considering the submissions of learned counsel for both sides, prima facie, it appears that, a case of false implication, since the applicants were not named in the F.I.R. and it is only in a supplementary statement which is recorded at a belated stage, for which no explanation is offered, case is made out to exercise discretion in favour of the applicants.

6. Nevertheless, the investigation is almost complete and nothing is to be recovered from the applicants. In that view of the matter, I am inclined to exercise discretion in favour of the applicants.

7. Hence the order :

ORDER

(i) Bail Application is allowed.

(ii) The applicants Gopal Appasaheb Mapari and Sharad Ramrao Mapari be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) each with

one solvent surety of the like amount by each of them in the above crime, on the conditions that :

- (a) The applicants shall not tamper with the prosecution witnesses in any way.
- (b) The applicants shall remain present on each date, unless exempted by the trial Court.
- (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.)

fmp/-