



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

BAIL APPLICATION NO.798 OF 2026

Sagar Kishor Gangane and others ... **APPLICANTS**

VERSUS

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

.....
Mr. R.N. Dhorde, Senior Counsel i/b
Mr. V.R. Dhorde, Advocate for applicants
Mr. D.J. Patil, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 8th JUNE, 2026

PER COURT :

1. By this application, the applicants are seeking their release on regular bail in connection with Crime No.509/2025, registered at Tuljapur Police Station, District Dharashiv for the offences punishable under Sections 3, 4 of the Arms Act, Sections 37(1), 37(3) of the Maharashtra Police Act and Sections 109, 189(2), 190, 191(2), 191(3), of the Bhartiya Nyaya Sanhita, 2023.

2. Learned Counsel for the applicants submits that the applicants are falsely implicated in the crime. Present FIR is

politically motivated with a view to falsely implicate the supporters. The applicants have no connection with the crime. The co-accused are admitted to bail by this Court vide order dated 18.02.2026. Moreover, the injury certificate indicates the nature of injuries as simple. Given that the investigation is complete, further incarceration of the application would be unjustifiable. Therefore, prayed to allow the application.

3. Per contra, learned A.P.P. vehemently opposed the application submitting that there are criminal antecedents against applicants No.1 and 2 and the offence is serious in nature. As such, prayed to reject the application.

4. When confronted with the applicants' criminal antecedents, the learned Senior Counsel submitted that Applicant No. 1 has been acquitted in one offence, while the other remains pending trial. A similar is the status of the applicant No. 2.

5. Upon hearing learned Counsel for the applicants and the learned A.P.P. and perusal of the documents, *prima facie* it appears that, it is a case of over implication and given the nature of the injuries as simple and other accused are admitted to bail, further detention of the applicants would be unjustified.

6. As far as criminal antecedents are concerned, in view of the law laid down by the Hon'ble Supreme Court ***in Prabhakar Tewari v. State of U.P. (2020) 11 SCC 648***, the mere pendency of criminal cases against an accused cannot by itself be the sole basis for the refusal of bail, if they are otherwise found entitled to bail. Hence, the following order:-

ORDER

- (i) The Bail Application is allowed.
- (ii) Applicants No. (1) Sagar Kishor Gangane, (2) Chetan @ Chaitanya Mohan Shinde and (3) Shekhar Kiran Gangane, be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) each, with one or two local solvent sureties, in the like amount, in connection with Crime No.509/2025, registered at Tuljapur Police Station, District Dharashiv for the offences punishable under Sections 3, 4 of the Arms Act, 1959, Sections 37(1), 37(3) of the Maharashtra Police Act and Sections 109, 189(2), 190, 191(2), 191(3), of the Bhartiya Nyaya Sanhita, 2023, on the following conditions that :-

- (a) The applicants shall not tamper with the prosecution witnesses in any manner.

- (b) The applicants shall remain present on each date, unless exempted by the trial Court.
- (c) In the event of breach of the condition, the concerned Court shall consider the application of the prosecution for cancellation of bail notwithstanding the fact that this Court has passed this order of granting bail to the applicants.
- (iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

fmp/-