



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 530 OF 2026

Kishor Sandipan Phad
VERSUS
The State Of Maharashtra

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- Mr. D. A. Mane, Advocate for Applicant
- Mr. P. D. Patil, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 28.04.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 20 of 2026 dated 27.01.2026, registered with Dharur Police Station, District Beed, for the offences punishable under Sections 140(3) and 3(5) of the BNS, 2023.
3. The prosecution case, in brief, is that on 27.01.2026, the informant Sham Bade lodged a report stating that his son Dadasaheb, who was engaged in labour contract work with Dr. Babasaheb Ambedkar Sugar Factory, Dharashiv, had received an advance amount of ₹36,00,000/- from the said factory, out of which a substantial amount remained unpaid. It is alleged that on 26.01.2026 at about 12:00 noon, Dadasaheb went to Sonimoha and did not return till

evening. During the search, the informant was informed by Anil Gholve that Dadasaheb had been abducted by unknown persons in a Scorpio vehicle. Based on this information, Crime No. 20 of 2026 came to be registered at Dharur Police Station against unknown persons. During the course of investigation, two accused persons, namely Manoj Gholve and Ramesh Munde, were arrested. In their statements, they disclosed the name of the present applicant as having accompanied them at the time of the incident. On the basis of the said disclosure, the present applicant has been implicated and arrayed as an accused in the present crime.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present crime. The applicant is not named in the FIR. His name has surfaced only in the statement of the arrested co-accused Manoj Gholve. The applicant is attributed with an identical role to that of co-accused Ashok Chole and Sandesh Dhumal, who have been released on anticipatory bail vide order dated 23.04.2026 passed in ABA Nos. 504 and 521 of 2026 respectively. The applicant has no criminal antecedents and is ready to abide by the conditions that may be imposed by this Court. It is further submitted that the statement of the abductee, Dadasaheb, was not recorded immediately, even though he was allegedly released by the kidnappers on 09.02.2026. Thus, the prosecution case itself

appears doubtful. The learned Sessions Judge has also released two arrested accused persons, namely Manoj @ Sonyaa and Ramesh Munde, vide order dated 10.02.2026. The applicant is, therefore, entitled to be released on anticipatory bail on the principle of parity. The applicant is ready to abide by any conditions that may be imposed by this Court.

5. Per contra, the learned APP strongly opposes the bail application on the ground that though the applicant is not named in the FIR, his involvement has been revealed during the course of investigation. The arrested accused Manoj Gholve, in his statement dated 07.02.2026, has disclosed the role of the present applicant in actively participating in the abduction of Dadasaheb. It is submitted that there is sufficient material to prima facie connect the applicant with the crime. The applicant is alleged to have accompanied the main accused in kidnapping the victim. If released on bail, the applicant may indulge in similar offences or may threaten the complainant and his family members, thereby prejudicing the prosecution case. It is further submitted that the offence is serious in nature, involving kidnapping for ransom with an intention to commit murder, and is punishable with life imprisonment. Hence, the application deserves to be rejected.

6. I have gone through the investigation papers made available by the learned APP as well as the order dated 23.04.2026 passed by this Court in ABA Nos. 504 of 2026 and 521 of 2026. I have also perused the order dated 10.02.2026 passed by the learned Sessions Judge, whereby two accused persons, namely Ramesh Munde and Manoj @ Sonyaa, have been released on bail. The record indicates that the statement of the victim Dadasaheb was recorded only on 12.02.2026, even though, as per the prosecution, he was released by the kidnappers on 09.02.2026. There appears to be no explanation for the delay on the part of the Investigating Officer in recording his statement. The contention that the story of kidnapping is an afterthought and that the FIR was lodged after deliberation cannot be ruled out at this stage. The statement of the victim further indicates that he was undergoing treatment at Samarth Hospital. However, the certificate issued by Samarth Hospital does not mention any date, which creates suspicion as to whether the victim was actually treated for the alleged injuries at the said hospital. However, these observations are prima facie in nature and are made only for the purpose of deciding the present application.

7. Taking into consideration that the other co-accused have already been released on anticipatory bail vide orders dated 23.04.2026 passed in ABA Nos. 504 of 2026 and 521 of 2026, the

principle of parity would apply to the present applicant. The applicant, who is alleged to have played an identical role in assisting the main accused in kidnapping the victim Dadasaheb, is therefore entitled to be released on bail. Since the applicant does not have any criminal antecedents, I am inclined to grant anticipatory bail to the present applicant, subject to certain conditions. Hence, the following order is passed:

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. In the event of arrest of the Applicant – Kishor Sandipan Phad, he shall be released on bail on furnishing a P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount each, in connection with FIR No. 20 of 2026 registered with Dharur Police Station, District Beed, for the offences punishable under Sections 140(3) and 3(5) of the BNS, 2023, subject to the following conditions:
 - A) The Applicant shall attend the concerned police station and report to the Investigating Officer every Saturday between 12:00 noon and 02:00 p.m. till framing of charge.
 - B) The applicant shall not enter Taluka Dharur, District Beed, till filing of the charge-sheet, except for attending the police station on the aforesaid days.

- C) The Applicant shall also cooperate with the investigation.
 - D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - E) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.
8. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the anticipatory bail granted hereinabove.
9. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.
10. In view of the above, the Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)