IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL Application NO. 498 OF 2026

Vaibhav Gurunath Pangule ...Applicant

Versus

The State of Maharashtra And Anr. ...Respondents

Mr. Kunal Patil a/w Rajnandini Katkar, Advocate for the Applicant.

Dr. A. A. Takalkar, APP for the Respondent – State.

PC B. M. Patil, Sadar Bazar Police Station, Solapur City, is present.

CORAM : ASHWIN D. BHOBE, J.
DATE : 6th October, 2026.

P.C. :

1. Heard, Mr. Kunal Patil, learned Advocate for the Applicant and Dr. A. A. Takalkar, learned APP for the Respondent – State.

2. By the present Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks bail in connection with Crime No. 1054 of 2025, registered at Sadar Bazar Police Station, Solapur, for offences punishable under Sections 103(1), 307, 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Kunal Patil, learned Advocate for the Applicant, states that there are three (3) accused in Crime No. 1054 of 2025, with the Applicant being accused No. 3. He further states that Crime No. 1054 of

2025 is registered as Sessions Case No. 64 of 2026 and is pending before the Sessions Judge, Solapur ("Trial Court").

4. The prosecution case is that between 10:30 p.m. on 26.12.2025 and 1:30 p.m. on 27.12.2025, the accused persons in Crime No. 1054 of 2025, committed the murder of Ayyub Hussain Sayyad (deceased) by smothering him with a pillow. The reason for the same was initially unknown.

5. The Applicant was arrested on 28.12.2025. The Bail Application at Exhibit-4, filed by the Applicant in Sessions Case No. 64 of 2026, was rejected by the Trial Court on 16.05.2026.

6. Mr. Kunal Patil, learned Advocate for the Applicant, submits that the material on record does not indicate that the Applicant was involved in the commission of the crime, i.e., the murder of the deceased. He submits that if the material on record is taken against the Applicant, it would attract Section 238 of the Bharatiya Nyaya Sanhita, 2023. He further submits that the Applicant is 21 years of age and has no antecedents.

7. Dr. A. A. Takalkar, learned APP for the Respondent – State, submits that the Applicant's involvement in the crime is established by

the Applicant’s role in destroying the DVR installed at the deceased’s house. She submits that the Applicant purchased the petrol used to destroy the articles and was seen with the co-accused, along with a rope. She submits that the Applicant was seen with the co-accused both prior to and after the murder of the deceased.

8. Perused the records with the assistance of the learned Advocates for the parties.

9. Perusal of the chargesheet prima facie does not indicate the involvement of the Applicant in the murder of the deceased. The allegations against the Applicant suggest that the Applicant was engaged in destroying evidence after the murder of the deceased. The rope as referred to by Dr. A. A. Takalkar, learned APP, was apparently not used in the commission of the offence.

10. Prima facie, based on the material on record, the Applicant's role was destruction of evidence and therefore the provisions of Section 238 of the Bharatiya Nyaya Sanhita, 2023 would apply.

11. In view of the above circumstances and the nature of the Applicant's involvement in the crime, the Applicant's continued detention pending Trial Sessions Case No. 64 of 2026 is not necessary.

12. This Application is therefore allowed on the following terms :-

(a) Applicant is directed to be released on Bail in connection with C.R. No. 1054 of 2025, registered with the Sadar Bazar Police Station, upon furnishing a P.R. Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two sureties, in the like amount, to the satisfaction of the Sessions Judge, Solapur, in Sessions Case No 64 of 2026.

(b) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that person from disclosing the facts to the Court or any police officer. Applicant shall not tamper with evidence.

(c) Applicant shall, within three (3) days of his release from jail, provide to the Investigating Officer, Sadar Bazar Police Station, his residential address with proof, the contact numbers and must inform the Investigating Officer about the change in the same from time to time.

(d) Applicant shall report to the Investigating Officer, Sadar Bazar Police Station, on the 2nd Saturday of each month, from 10:00 a.m. to 12:00 noon, until the conclusion of trial in Sessions Case No. 64 of 2026.

(e) Applicant shall regularly appear before the Trial Court, in Sessions Case No. 64 of 2026, as and when the matter is fixed, unless specifically exempted. If the Applicant fails to appear before the Trial Court, on the date fixed, it shall be deemed a breach of condition and the Trial Court, shall be at liberty to pass appropriate orders.

(f) In the event of any default in complying with the conditions or misuse of the liberty granted to the Applicant, the prosecution shall be at liberty to seek cancellation of bail.

13. The observations made in this order are for deciding the Bail Application and will not affect the trial proceedings.

14. Bail Application No. 498 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE
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Date: 2026.10.07 11:16:05 +0530