The order is corrected pursuant to the speaking to the minutes of order dated 2/11/2026

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 525 OF 2026

Prathamesh Anna Chavan … Applicant

Vs.

The State of Maharashtra and Another … Respondents

WITH
CRIMINAL BAIL APPLICATION NO. 545 OF 2026

Prasad alias Prashant Somnath More … Applicant

Vs.

The State of Maharashtra and Anr. … Respondents

.....

Mr. Shivaji S. Bankar a/w M.D. Deshmukh for the Applicant in BA 525/2026.

Mr Ramnik Pawar a/w Amit Waykool, Nadeem Saudagar, Vinod Shejwal i/b Puja Deshmukh for the Applicant in BA 545/2026.

Ms. S.N. Deshmukh, APP for Respondent - State

Mr. S.A. Yadav, H.C. Atpadi Police Station present

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CORAM : SHAILESH P. BRAHME, J.

DATE : 29th OCTOBER, 2026.

P. C. :

1. The Applicants are seeking enlargement on bail in connection with Crime No. 431 of 2025 registered with Atpadi Police Station, Dist. Sangli for the offences punishable under Sections 109, 118(1), 281, 3(5), 324(4), 352 8of the Bharatiya Nyaya Sanhita, 2023 r/w Section 4, 25 of the Arms Act

2. Both of them are behind bars since 16/12/2025. The charge-sheet is filed on 11/02/2026.

3. The counsels representing the applicants would submit that except their presence no role is attributed to them. The co-accused Nayeem is the main perpetrator who had motive and who assaulted the informant with scythe. My attention is adverted to the injury certificate which does not support the prosecution theory. It is submitted that the statements of the witnesses recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 also would not attribute serious incriminating role to the applicants. There are no antecedents against them.

4. Learned APP submits that the applicants are supporters of the co-accused who had come prepared to eliminate the informant. There was strong motive for them considering their previous rivalry. The injuries are inflicted on vital part of the body not only by the co-accused but the applicants also. The nature of injury is immaterial at this stage of the proceedings. The eyewitnesses are consistent with the prosecution theory. The weapon has been recovered at the instance of co-accused Nayeem. The involvement of the applicant is apparent.

5. First information spells out that there was some rivalry between

Tejas Randive and Avinash Lokhande. The informant was supporting Tejas, which was not liked by co-accused Nayeem. There is no material to indicate that the present applicants were also entertaining such a motive against informant. They were accompanying the co-accused Nayeem. Their presence on the spot and participation in the assault is evident from the witnesses also, but that itself in a given case is not sufficient to attribute similar role as that of co-accused.

6. The medico-legal certificate shows one grievous injury and nine simple injuries on the informant. The injuries are probably to be inflicted by scythe are simple in nature. The weapon is recovered at the instance of co-accused Nayeem. It is not possible to infer that the injuries are inflicted by the applicant with a knowledge and intention to cause the death.

7. I have gone through the statement of the eyewitness Pravin and his statement under Section 183. The statement before the Magistrate does not refer to any incriminating role to the applicants. The statement under Section 181 of the witness is not consistent with the said statement.

8. No antecedents are reported against the applicants. They are behind bars for sufficient time. They are entitled to be released on bail. Hence, I pass the following order :

ORDER

(i) Bail Applications are allowed.

(ii) The Applicants – Prathamesh Anna Chavan and Prasad alias Prashant Somnath More shall be released on bail in connection with Crime No. 431 of 2025 registered with Atpadi Police Station, Dist. Sangli for the offences punishable under Sections 109, 118(1), 281, 3(5), 324(4), 352 of the Bharatiya Nyaya Sanhita, 2023 r/w Section 4, 25 of the Arms Act on furnishing P. R. bond of Rs. 30,000/- (Rupees Thirty Thousand only) each with one or more solvent sureties of like amount on the following conditions :-

(a) The applicants shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicants shall furnish contact numbers of themselves or their close relative / friend to the Investigating Officer.

(c) The applicants shall not leave Sangli District with prior permission of the Sessions Court.

(d) The applicants shall inform their contact numbers to the Investigating Officer.

(e) The applicants shall surrender their Aadhar Card and PAN Card to the Investigating Officer, if any.

(f) The applicants shall not enter village Dighanchi, Tal. Atpadi, Dist. Sangli till framing of the charges.

(g) The applicants shall co-operate Investigating Officer and attend the police station as and when called by the Investigating Officer.

(iii) Bail Applications are disposed of accordingly.

(SHAILESH P. BRAHME, J.)