IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 644 OF 2026

Nagesh Kapurseth Bhosale ...Applicant
Versus
The State Of Maharashtra And Anr ...Respondents

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Adv. Bhagyashri Mangale, Advocate for Applicant.
Ms. Shubangi N. Deshmukh, learned APP for the Respondents-State.
Mr. Dilip V. Dhere (API), Karmala Police Station, present.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 22nd OCTOBER, 2026.

P.C. :

Heard.

2. By this application, the applicant is seeking regular bail in Crime No. 848 of 2025, registered with Karmala Police Station, Solapur Rural, for the offence punishable under Sections 310(2) and 311 of the Bhartiya Nyaya Sanhita, 2023 (BNS).

3. It is submitted by learned counsel appearing for the applicant that on the ground of parity the applicant is entitled to be released on bail. On the ground of suspicion, he is implicated in the offence. There is no test identification parade, or any direct evidence to connect him in

the offence. It is submitted that the medical papers disclosing the injuries upon the victims is incompatible. It is further submitted that the recovery of amount which is shown at the instance of the applicant is doubtful. The mobile location, which is tried to be collected by the Investigating Agency, is not corroborating their case.

4. The learned APP appearing for the respondents – State would submit that the role played by the applicant is more incriminating than that of accused Nos.2 and 3. The ground of parity is not attracted in this case. The recovery of the cash amount is made at the instance of the applicant. The CDR location of the applicant is corroborating the prosecution case.

5. At the outset it needs to be mentioned that incident took place on 12.10.2025. The applicant is arrested on 07.11.2025. The Charge-Sheet is filed on 04.02.2026 against four persons. Out of them, co-accused Rajdhani Kongarya Bhosale and Kaparya @ Kapurseth Kongarya Bhosale have been released on bail vide order dated 06.03.2026.

6. The First Information Report does not spell out the specific names of the perpetrators. It is lodged against unindentified persons. There is no direct evidence to implicate the applicant. The test identification parade has not been conducted. No criminal antecedents are fitted against the applicant.

7. The learned APP appearing for the respondents – State adverts

my attention to the memorandum panchnama and the statement of Mohan Kale to point out that the cash of Rs. 69,500/- is recovered at the instance of the applicant. My attention is also adverted to show that tower location would disclose involvement of the applicant. The probative value and the purport of the tower location can be gone into during the course of trial. Mere recovery of the cash amount would not be sufficient to deny bail of the applicant. No purpose would be served in keeping the applicant behind the bar. I, therefore, pass the following order :

::ORDER::

(i) Bail Application is allowed.

(ii) Applicant shall be released on bail in Crime No. 848 of 2025, registered with Karmala Police Station, Solapur Rural, for the offence punishable under Sections 310(2) and 311 of the Bhartiya Nyaya Sanhita, 2023 on furnishing P.R. bond of Rs.25,000/- with one or two solvent sureties in the like amount on the following conditions :

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

(b) The applicant shall furnish contact number of himself or his closed relative/friend.

(c) The applicant shall furnish his contact number to the Investigating Officer.

(d) The applicant Shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.

(e) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(iii) Bail application is disposed of accordingly.

[SHAILESH P. BRAHME, J.]