This order is corrected pursuant to the speaking to the minutes order dated 30/10/2026

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

CRIMINAL BAIL APPLICATION NO. 933 OF 2026

Mahesh Maruti Namade ...Applicant
VERSUS
The State Of Maharashtra And Anr ...Respondents

WITH

CRIMINAL BAIL APPLICATION NO. 871 OF 2026

Neeta Pramod Raut *...Applicant*
VERSUS
The State Of Maharashtra And Anr *...Respondents*

Mr. Jaydeep Mane a/w. Mr. Mihir Monkar, Advocate for the Applicant in BA/933/2026.
Ms. Bhagyashri Mangle, Advocate for the Applicant in BA/871/2026.
Mr. Nitin B. Patil, APP for the Respondents-State.
Mr. A. R. Kadam, Velapur Police Station present.

Coram : SHAILESH P. BRAHME, J.

Date : OCTOBER 28, 2026.

P. C. :

1. The Applicants are behind bars since 28/04/2026 and 27/07/2026 respectively in C.R. No. 0104 of 2026 registered with Velapur Police Station, Solapur for offences punishable under Sections 109, 118 (2), 118(1), 115(2), 351(3) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023. They are praying for enlargement on bail.

2. A report was lodged by Dnyaneshwar, the father of the deceased Satish, stating that he received a message that his son was being stabbed on 10/04/2026. When he rushed to Akluj, where his son was hospitalised, injured son informed him that a quarrel had taken place between Satish and his aunt during a family function. Being enraged, applicant Neeta called her brother, accused No. 1, Baburao, who arrived there along with two unidentified persons. Thereafter, Satish was assaulted by Baburao, Neeta and others.

3. Applicant Mahesh is not named in the FIR. Applicant Neeta is named therein and is alleged to have called her brother, the main perpetrator, who arrived at the spot and assaulted Satish with knife. Satish died after 12 days of hospitalisation.

4. Learned counsel for applicant Mahesh submits that no overt act is attributed to him. The main assault, in which the fatal blows were inflicted, was by accused Baburao. The applicant was present at the relevant time as he was attending the family function. The statements of the eye-witnesses do not attribute any specific overt act to him. The oral dying declaration is also silent regarding applicants.

5. Learned counsel appearing for applicant Neeta submits that there was no intention to kill Satish. It is submitted that, owing to the deceased's misbehaviour with the female members of the family, the co-

accused was called. Being a woman, she is entitled to bail.

6. Learned APP would contest both the applications. It is submitted that there are number of eye witnesses disclosing involvement of the applicants. Applicant Neeta is seen to be inciting the co-accused to assault the deceased. Applicants have common intention and they were in touch with each other. The role of applicant Neeta is more incriminating as she sent a photo of the deceased to the co-accused Baburao for identifying.

7. First Information Report does not spell out name of applicant Mahesh and attribute any role to him. It spells about the presence of the applicant Neeta and her participation in calling her brother. It appears that the deceased and the applicants had gathered for family function and they are related to each other. There is no material to indicate that there was previous rivalry and intention was to eliminate Satish.

8. The assault took place on the ground that deceased misbehaved with the lady members of the family. The co-accused Baburao, who inflicted blows by knife, is the author of the major injuries which might have caused death. Applicant Neeta is only instrumental in calling him.

9. I have gone through statements of eye witnesses Sadhu, Ravindra, Ramesh and Kalpana, who were also present at the relevant time. They attribute the presence of the applicant Mahesh. He might be supporter of main perpetrator. No assault as such is attributed to him. Applicant Neeta

is alleged to have incited the co-accused to commit assault. Under such circumstances, the direct evidence is not sufficient to show active participation of the applicants in the offence.

10. The dying declaration made by the deceased before his father does not refer to applicant Mahesh and his presence at the relevant time. It refers to role of Neeta who called her brother.

11. One of the applicants is a woman. Both applicants have been in custody for some time. The investigation is complete and the charge-sheet has been filed. Having regard to the material on record and the roles attributed to the applicants, they are entitled to be released on bail. Hence, I pass the following order :

ORDER

(i) Both Bail Applications are allowed.

(ii) The Applicants –Mahesh Maruti Namade and Neeta Pramod Raut shall be released on bail in connection with C.R. No. 0104 of 2026 registered with Velapur Police Station, Solapur for offences punishable under Sections 109, 118 (2), 118(1), 115(2), 351(3) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023. on furnishing P. R. bond of Rs. 35,000/- (Rupees Thirty Five 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 Solapur district without prior permission of the Sessions Court.

(d) The applicants shall inform their whereabouts and 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 co-operate for expeditious disposal of the trial and attend the dates punctually.

(iii) Both Bail Applications are disposed of accordingly.

[SHAILESH P. BRAHME,J.]