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

CRIMINAL BAIL APPLICATION NO. 942 OF 2026

Ghanshyam Dallichand Jat ... Applicant
Versus.
State of Maharashtra & Anr. ... Respondents

Mr. Ritesh M. Thobde i/by Mr. Darshan Singh Rajpurohit for the Applicant.

Mr. C. D. Mali, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATED : OCTOBER 12, 2026

P.C.:

1. Heard, Mr. Ritesh M. Thobde, learned Advocate for the Applicant and Mr. C. D. Mali, learned APP for the State.

2. By this Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks Regular Bail in Crime No. 455 of 2026, registered at the Vijapur Naka Police Station, District Solapur, for offences punishable under Sections 3 and 25 of the Indian Arms Act and Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Ritesh M. Thobde, learned Advocate for the Applicant, states that

there are two accused in Crime No. 455 of 2026, with the Applicant being Accused No. 2.

4. The FIR was registered on 19th August 2026 at about 02.25 a.m. at the Water Tank on Vijapur Road, Hattur, Solapur, alleging that Accused No. 1 was found in possession of a pistol and five live cartridges without a valid licence. Accordingly, Crime No. 455 of 2026 was registered.

5. The Accused was arrested on 20th August 2026. The Additional Sessions Judge, Solapur ("Trial Court"), rejected Criminal Bail Application No. 897 of 2026 filed by the Applicant on 9th September 2026.

6. Mr. Ritesh M. Thobde, learned Advocate for the Applicant, states that the Applicant, an ice-cream vendor, was arrested at Indi, Bijapur District, Karnataka, solely on the basis of a statement by the co-accused. He submits that no other material on record indicates the Applicant's involvement in Crime No. 455 of 2026. He further submits that the Applicant has no criminal antecedents.

7. Mr. C. D. Mali, learned APP for the State, submits that the offence charged against the Applicant is serious and that the investigation in Crime No. 455 of 2026is in progress. He submits that the custody of the Applicant is required.

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

9. The records in the file of this Application indicate that the Applicant was arrested on 20th August 2026. The Remand Order dated 21st August 2026 (page 40 of the paper-book) shows that on 21st August 2026, the Investigating Officer sought Magisterial custody of the Applicant.

10. The Applicant's involvement in Crime No. 455 of 2026 is based on a statement made by a co-accused (Accused No. 1) while in police custody. No recovery is made at the instance of the Applicant.

11. Apart from the co-accused's statement, no other material on record indicates the Applicant's involvement in Crime No. 455 of 2026.

12. In view of the aforesaid circumstances and with the Applicant having no criminal antecedents, as submitted by Mr. Ritesh M. Thobde, learned Advocate for the Applicant, the continued detention of the Applicant in jail pending trial in Crime No. 455 of 2026 is not warranted.

13. This Application is therefore allowed on the following terms:

a) The Applicant in Crime No. 455 of 2026, registered at Vijapur Naka Police Station, District Solapur, shall be released on bail upon furnishing a P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand only), with one or two sureties in the like amount, to the satisfaction of the

Trial Court.

b) The 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. The Applicant shall not tamper with evidence in any manner.

c) The Applicant shall, within three days of his release, provide the Investigating Officer at Vijapur Naka Police Station with his residential address and proof thereof, his contact number and must inform the Investigating Officer of any changes to this information from time to time.

d) The Applicant shall appear before the Investigating Officer, Vijapur Naka Police Station, on the 3RD Monday of each month from 11:00 a.m. to 12:00 noon till framing of charge.

14. Bail Application No.942 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)