

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

CRIMINAL BAIL APPLICATION NO. 86 OF 2026

1. Aditya Sunil Deshmane
2. Prakash Bhiku Mali

VERSUS

State Of Maharashtra Through Aundh Police Station, Satara

WITH

CRI-INTERIM APPLICATION NO. 180 OF 2026

IN

CRIMINAL BAIL APPLICATION NO. 86 OF 2026

Sarfaraz Ilahi Bagwan

VERSUS

State Of Maharashtra

...

Mr. Ravindranath Patil, advocate for the applicant

Mr Parvez Nadaf, advocate for the intervener

Mr. Anand S. Shalgaonkar APP for the Respondent-State.

...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 23rd MARCH, 2026.

P. C. :

1. Applicants are seeking regular bail in C.R. No. 255/2023 dated 11/09/2023 registered with Aundh Police Station, District Satara for offences punishable under Sections 302, 307, 324, 141, 143, 147, 148, 149, 427, 449, 450 of the Indian Penal Code, 1860

and under Section 3 of the Prevention of Damage to Public Property Act, 1984.

2. The prosecution case is that on September 10, 2023, a violent incident occurred at Pusesavali, Khatav Taluka, Satara District. The event was reportedly the result of a criminal conspiracy hatched on September 9 and 10, 2023, by the applicants and co-accused following a dispute over alleged offensive Instagram posts. The applicants, along with a mob of approximately 100 unidentified persons from Pusesavali and neighboring villages allegedly formed an unlawful assembly. Armed with lethal weapons such as iron rods, wooden batons, and stones, they forcibly entered the the premises/place of incident during evening prayers. Applicant No. 1 targeted the deceased, inflicting fatal injuries to his head resulting in his death. Several others, including the complainant were brutally assaulted and sustained grievous injuries. The mob used derogatory and abusive slurs with intent to hurt sentiments and create enmity. The rioters vandalized the property. They set fire to eight motorcycles and one bicycle, causing an estimated loss of ₹3,47,000. Additionally, they pelted stones at a police vehicle, causing damage worth ₹5,000.

3. Applicant no. 1 alleged to have assaulted the deceased with a wooden baton and injured witness while the applicant no. 2 was part of the unlawful assembly entering the alleged spot of incident armed with wooden sticks, iron rods, stones and thereby assaulted people.

4. Learned counsel for the applicants submits that the applicants are falsely implicated in the alleged crime. There are general and omnibus allegations against the applicants. There is no specific role attributed against the applicants. It is further submitted that 31 out of 34 accused are enlarged on bail by the Trial Court as well as this Court. As such, the applicants are entitled for parity and given that the investigation is complete, further detention of the applicants is unwarranted.

5. *Per contra*, learned APP opposed the application submitting that the applicants alongwith co-accused formed an unlawful assembly and created a ruckus, thereby injuring and killing several persons leading to a further damage to a public property. The learned APP further expressed the apprehension that there is a possibility that applicants may evade trial or influence the witnesses, if released on bail.

6. Upon considering the submissions and perusal of record, indicates that the co-accused are enlarged on bail either by the Trial Court or by this Court. Particularly, in Criminal Bail Application No. 3478/2025 dated 12/12/2025 and in Criminal Bail Application No. 3352/2025 dated 13/11/2025 indicate that the co-accused were primarily released due to the prolonged incarceration.

7. In the instant case, the present applicants are young men pursuing their respective career and are in custody for more than 15 months and 27 months respectively. Furthermore, the applicants have no criminal antecedents. Given that the co-accused are released on bail, further incarceration of the applicants would be unjustified.

8. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period.

9. As such, I pass following order:

ORDER

- I. The bail application is allowed.
- II. Applicants, Aditya Sunil Deshmane and Prakash Bhiku Mali be released on bail, on furnishing P.R. bond in the sum of

Rs.50,000/- (Rs.Fifty Thousand) each with one or two local solvent sureties, in the like amount, in connection with C.R. No. 255/2023 dated 11/09/2023 registered with Aundh Police Station, District Satara for offences punishable under Sections 302, 307, 324, 141, 143, 147, 148, 149, 427, 449, 450 of the Indian Penal Code and under Section 3 of the Prevention of Damage to Public Property Act, 1984, on the following conditions :-

(a) The applicants shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicants shall attend the trial on each and every date unless exempted by the trial Court.

(c) The applicants shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.

(d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the Trial Court seeking cancellation of bail.

10. Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

IRESH
MASHAL

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by IRESH
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[SACHIN S. DESHMUKH, J.]