

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

BAIL APPLICATION NO. 1215 OF 2025

MR. SANDIP TUKARAM BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Ramanik P. Pawar a/w Mr. Dinesh Sonalikar a/w Mr. Parvej Nadaf
a/w Mr. Amit Wykool, Advocate for Applicant
Ms. P. S. Rane, APP for Respondent / State
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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 14TH JANUARY, 2026

PER COURT :

1. By this application, the applicant seeks bail in C.R. No.49/2022, registered with Umadi Police Station, District Sangli, for offences punishable under Sections 302, 307, 341, 143, 147, 148, 149 and 506 of the Indian Penal Code, Sections 4 and 25 of the Indian Arms Act and Section 135 of the Maharashtra Police Act.
2. Prosecution case, in short, is that on 08/03/2022 applicant and co-accused Harshvardhan Deshmukh assaulted deceased with sword and knife, respectively, while other co-accused assaulted the informant and deceased persons with sticks on account of previous enmity. Accordingly, Santosh Raju Mali and Madhgonda Nagappa Bagali succumbed to the injuries received in the said incident.

3. Learned advocate for applicant strenuously submits that the co-accused in the present crime namely Tejaskumar alias Yalappa Gundappa Salunkhe alias Bhat is released on bail by the Apex Court on the ground of long incarceration. Therefore, the applicant is also entitled for bail on the ground of parity. He submits that the applicant is arrested on 09/03/2022 and since then he is behind the bars. Though charge-sheet is filed in the present matter, till date not a single witness is examined in the Trial Court. Therefore, the trial is not likely to conclude in the near future. He also tried to submit that the applicant claims alibi as he was not present on the spot of incident at the relevant time. He, therefore, submits that the applicant may be released on bail on the ground of parity and long incarceration.

4. Learned APP, on the other hand, strenuously opposed the bail application contending that the injured has lodged FIR and he has attributed specific role to the applicant. This is a case of double murder and there are eye witnesses who have specifically named applicant. She, therefore, submits that considering the involvement of applicant in the serious crime, he does not deserve to be released on bail.

5. It is a matter of record that, at the time of incident applicant assaulted deceased Santosh Raju Mali and Madhgonda

Nagappa Bagali with sword and accused No.1 Harshvardhan Deshmukh assaulted them with knife. Informant was assaulted by accused No.1 with knife and he has sustained serious injuries on abdomen, injuring his internal organs. Applicant and accused No.1 have committed murder of two persons on account of trivial incident happened in the past.

6. In the present case, charge-sheet is filed on 04/06/2022 and the Apex Court has granted bail to co-accused Tejaskumar on 10/07/2024. Out of 11 accused named in the charge-sheet except accused No.1 and the present applicant, 9 accused are released on bail. It is significant to note here that the allegations against the 9 accused released on bail are that they have assaulted the injured informant with wooden sticks. Accused No.1 and applicant have inflicted fatal blows on both the deceased. Therefore, there is no merit in the claim of parity of the applicant.

7. Taking into consideration the involvement of applicant in commission of double murder and the gravity of offence, applicant is not entitled for bail even on the ground of long incarceration. There is every possibility that applicant may influence the prosecution witnesses. Hence, the application being devoid of merit, is rejected.

(NITIN B. SURYAWANSHI, J.)