

VRJ

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

BAIL APPLICATION NO.1301 OF 2025

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Bhushan Sanjay Edake

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Satyavrat Joshi with Mr. Yash Fadtare, Vaibhav H.
and Sairaj Suryawanshi for the applicant.

Mr. Shrikant H. Yadav, APP for the State.

Mr. Avinash G., PSI, Sangli City Police Station is
present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 9, 2026

P.C.:

1. By the present application filed under Section 439 of the Code of Criminal Procedure, 1973 and Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with Crime Register No. 192 of 2024 registered with Sangli City Police Station, Sangli, for the offences punishable under Sections 302, 326, 143, 147, 148, 149 read with Section 34 of the Indian Penal Code, 1860, Section 135 of the Maharashtra Police Act, 1951, and Sections 4 and 25 of the Arms Act, 1959.

2. The prosecution case, in short, is that the incident took place outside the Ganesh Mandir. Four to five persons arrived on a motorcycle, armed with knife and iron rods, and assaulted two persons who were riding a Yamaha motorcycle. Both of them were attacked, and one of them, namely Rahul Salunkhe, succumbed to the injuries.

3. Learned counsel for the applicant submits that a similar role is attributed to the co-accused, Vishwesh Gavli, who has already been released on bail by the Sessions Court, and therefore, the ground of parity is available to the present applicant. It is contended that the role attributed to the present applicant by the eye-witnesses is limited to assault by fists and blows. The CCTV footage shows the presence of the applicant at the spot, which is not disputed. It is further submitted that the applicant has been in custody since 11th April 2024. Though the charge was framed in September 2025, not a single witness has been examined till date. Having regard to the nature of the role attributed to the present applicant, learned counsel prays that the applicant be released on bail.

4. Learned APP vehemently opposed the application, submitting that the CCTV footage shows the presence of the present applicant at the spot of the incident. It is contended that although the CCTV captures his presence for some duration, due to disruption of electricity supply, his exact role is not clearly recorded in the footage. He further submits that from the statements of the eye-witnesses, it is evident that the present applicant had actively participated in the assault on the deceased. In view of the seriousness of the offence and the role attributed to the applicant, learned APP prayed for rejection of the bail application.

5. Heard learned counsel for the applicant and learned APP.

6. Upon perusal of the statements of the eye-witnesses, it appears that the role attributed to the present applicant is limited to assault by fists and blows. The deceased, however, succumbed to a stab injury, and the weapons used in the assault were knife and iron rods. Though the presence of the present applicant at the spot is established, a similar role is attributed to a co-accused who has already been released on bail. Having regard to the nature of the role attributed to the present applicant, his incarceration since

April 2024, and the fact that no witness has been examined till date, a case is made out for granting bail to the applicant.

7. Hence, following order is passed:

- i) The bail application is allowed;
- ii) The applicant - Bhushan Sanjay Edake is directed to be released on regular bail in connection with Crime Register No. 192 of 2024 registered with Sangli City Police Station, Sangli, for the offences punishable under Sections 302, 326, 143, 147, 148, 149 read with Section 34 of the Indian Penal Code, 1860, Section 135 of the Maharashtra Police Act, 1951, and Sections 4 and 25 of the Arms Act, 1959, upon furnishing a personal bond of Rs. 50,000/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:
 - a) The applicant shall report the Sangli City Police Station, Sangli on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
 - b) The applicant shall not tamper with the evidence or attempt to influence any witness.

- c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
 - d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
 - e) The applicant shall not indulge in any criminal activity during the pendency of the trial.
 - f) Any breach of these conditions shall result in the prosecution moving for cancellation of bail before the Trial Court.
8. The bail application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)