

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

CRIMINAL BAIL APPLN. NO. 3726 OF 2025

Kiran Vitthal Chavan
VERSUS
The State Of Maharashtra

WITH
CRI-INTERIM APPLICATION NO. 19 OF 2026
IN
CRIMINAL BAIL APPLN. NO. 3726 OF 2025

Vikram Shivaji Lad
VERSUS
The State Of Maharashtra

WITH
CRIMINAL BAIL APPLN. NO. 3731 OF 2025

Akash Aliah Akshay Sudhakar Vhankhande
VERSUS
The State Of Maharashtra

Mr. Abhijit Kulkarni a/w Mr. Sachin Hande (through VC) a/w Mr.
Rushikesh Jagdale for applicants
Mr. Jayant Baresark i/b Mr. Nakul Shukla for the intervener
Mr. Anand S. Shalgaonkar APP for the State

CORAM : SACHIN S. DESHMUKH, J.
DATE : 25th MARCH, 2026.

P. C. :

1. The applicants seek regular bail in connection with C.R. No. 151/2023 dated 18/03/2023 registered with Jat Police Station,

District Sangli for offences punishable under Sections 25, 3 of the Arms Act and under Sections 302 read with 34 of the Indian Penal Code, 1860.

2. The prosecution case is that on 17/03/2023, at about 01:45 PM, the victim was traveling in a car to fetch his and the informant's children from school. At that time, applicants alongwith co-accused arrived on a motorcycle and intercepted the victim near Alphonso School, where they allegedly opened fire with a pistol and subsequently crushed the victim's head with stones, resulting in his death on the spot in the open ground. Hence, the report is lodged.

3. Learned counsel for the applicants submits that the applicants are not named in the F.I.R. and they are not part of the conspiracy. Although the applicants were arrested, however, were not subjected to test identification parade. Applicants were arrested in March 2023. There is no progress in trial. As such, further incarceration of the applicants would not be justified.

4. *Per contra*, learned APP assisted by learned counsel for the informant opposed the application submitting that complicity of the applicants is apparent. Mobile tower location of the applicants is traced where the alleged incident has occurred. As such, same dis-

entitles the applicants to be admitted to the bail.

5. Upon considering the submissions of learned counsel for the applicants and learned APP, assisted by learned counsel for the informant and perusal of the charge-sheet on record, it prima facie indicates that in absence of test identification parade of the applicants, further incarceration of the applicants would be unjustifiable.

6. Apart from the aforesaid aspect, although the arrest of the applicants was effected in March 2023, the trial has not progressed and considering the number of accused and the witnesses the prosecution proposes to examine, there is every likelihood that trial will take time to conclude. Even on the ground parity, I am persuaded to exercise the discretion in favour of the applicants.

7. So far as apprehension expressed by learned APP is concerned, it can be adequately taken care of by imposing stringent conditions.

8. Hence, following order:

ORDER

- (a) The bail application is allowed.
- (b) Applicants, Kiran Vitthal Chavan and Akash Aliah Akshay Sudhakar Vhankhande 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. 151/2023 dated 18/03/2023 registered with Jat Police Station, District Sangli for offences punishable under Sections 25, 3 of the Arms Act and under Sections 302 read with 34 of the Indian Penal Code, 1860, 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 not enter the revenue district of Sangli till conclusion of trial, except for attending the dates before the concerned Court.
- (c) The applicants shall attend the trial on each and every date unless exempted by the trial Court.
- (d) The applicants shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address, where they are likely to reside as well as their own phone numbers and that of their two near relatives.
- (e) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move the concerned Court seeking cancellation of bail notwithstanding the fact that this Court has granted bail.

9. 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.

10. In view of disposal of bail applications, pending Interim Application stands disposed of.

[SACHIN S. DESHMUKH, J.]