

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CR. REVISION APPLN. NO. 24 OF 2026**

Ganesh Sagar Mali Through Legal Guardian Father Sagar Uttam
Mali
VERSUS
The State Of Maharashtra

Mr. Kunal V. Patil i/b Ms. Rajnandini Katkar, Mr. Asif Mulla for the
applicant
Mr. Anand S. Shalgaonkar APP for the Respondent-State.

CORAM : SACHIN S. DESHMUKH, J.
DATE : 16th APRIL, 2026.

P. C. :

1. Applicant has preferred the Revision against the Judgment and Order dated 18/03/2026 passed by Special Judge, Kolhapur in Criminal Appeal No. 95 of 2025 and seeks bail in connection with C.R. No. 301 of 2024 registered with Juna Rajwada Police Station, Kolhapur for offence punishable under Sections 302, 307, 120B, 147, 148 and 149 of the Indian Penal Code and under Sections, 5 and 27 of the Arms Act.

2. Learned counsel for the applicant submits that the applicant is falsely implicated in the crime. In absence of active participation, thereby Section 149 of the Indian Penal Code is not applicable

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against the applicant. There are only general allegations. Considering the provisions of Section 18 of The Juvenile Justice (Care and Protection of Children) Act, 2015, prayed to allow the application.

3. Learned APP opposed the application stating offence is serious in nature and expressed the apprehension of recidivism at the instance of applicant.

4. Considered the submissions of learned counsel for the applicant and learned APP. The record reveals that the applicant is in observation home for more than 11 months. There is report indicating positive change in his behaviour. The applicant is willing to prosecute the further education and has no criminal antecedents.

5. Thus, in my considered view, the prolonged incarceration may hinder the future prospects of the applicant and can be released on bail by imposing stringent conditions.

6. Hence, following order:

ORDER

I. The Revision Application is allowed.

II. The Judgment and Order dated 18/03/2026 passed by Special Judge, Kolhapur in Criminal Appeal No. 95 of 2025 is

quashed and set aside.

III. Applicant, Ganesh Sagar Mali be released on bail, on furnishing P.R. bond in the sum of Rs. 20,000/- (Rs. Twenty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 301 of 2024 registered with Juna Rajwada Police Station, Kolhapur for offence punishable under Sections 302, 307, 120B, 147, 148 and 149 of the Indian Penal Code and under Sections, 5 and 27 of the Arms Act, on the following conditions :-

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

(b) The applicant shall not enter jurisdiction of concerned police station till conclusion of trial, except attending the dates of the Trial Court.

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

(d) The applicant shall not communicate or reach out to the co-accused in any manner.

(e) The applicant shall not participate or associate with any group known for carrying out criminal activity.

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

(g) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

7. 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.

[SACHIN S. DESHMUKH, J.]