

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

CRIMINAL BAIL APPLICATION NO. 17 OF 2026

Ritesh Vasant Chavan

VERSUS

The State of Maharashtra

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Ms. Savita Shedbale, Advocate for Applicant.

Dr. Ashvini A. Takalkar, APP for the Respondent-State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 29th APRIL, 2026

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 96 of 2025 dated 26.05.2025 registered with M.I.D.C. Kupwad Police Station, District Sangli, for the offences punishable under Sections 103(1) read with Section 3(5) of the *Bhartiya Nyaya Sanhita, 2023*.

2. Learned Counsel for the applicant submits that it is the case of circumstantial evidence. The applicant has been falsely implicated in the case. There is no material on record to establish the complicity of the applicant. The applicant is behind bar from last one year. Considering the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and

concluded within a reasonable period. Investigation is completed and the charge-sheet is filed. As such, further incarceration of the applicant is unjustified. Hence, prayed to allow the application.

3. Per contra, learned APP opposed the application submitting that the offence is serious in nature. The complicity of applicant is apparent from the evidence collected by the Investigating Officer. In the process learned APP also highlights the criminal antecedents of the present applicant. An apprehension is also expressed that if the applicant is enlarged on bail, there is every possibility of tampering prosecution witnesses. Hence, prayed to reject the application.

4. Having heard the submissions from both the sides and upon perusal of the record including charge-sheet *prima facie* indicates that there is no material on record to establish the complicity of the applicant.

5. Given the age of applicant and the prolonged incarceration coupled with the fact that the trial is still in the initial stages, the further detention of the applicant may amount to pre-trial detention which is neither justified nor warranted.

6. While the prosecution highlights the applicants' criminal antecedents, it is a settled principle of law in the case of ***Prabhakar***

Tewari Vs. State of U.P. and another [(2020) 11 SCC 648] that mere existence of prior cases does not serve as a ground to deny bail, if the facts of the current case, fail to establish a prima facie necessity for continued incarceration.

7. Having regard to the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. In this view of the matter, further incarceration of the applicant would be unjustified. As far as the apprehension expressed by the learned A.P.P. in relation to tampering prosecution witnesses is concerned, the same can be adequately taken care of by imposing stringent conditions. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Hence, the order :-

ORDER

I. The bail application is allowed.

II. Applicant - Ritesh Vasant Chavan be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 96 of 2025 dated 26.05.2025 registered with M.I.D.C. Kupwad Police Station, District Sangli, for the offences

punishable under Sections 103(1) read with Section 3(5) of the *Bhartiya Nyaya Sanhita, 2023*, 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 the jurisdiction of District Sangli till conclusion of trial except attending the dates before the concerned Court.
- (c) The applicant 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 applicant, it is open for the Prosecution to approach the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.

III. 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.]