

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 53 OF 2026

GANESH LAKSHIMAN DHOBLE AND ANR.
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Jaydeep D Mane
APP for Respondent-State : Mr. N. B. Patil

...

WITH
CRI-INTERIM APPLICATION NO. 154 OF 2026
IN
CRIMINAL BAIL APPLN. NO. 53 OF 2026

RAOSAHEB TATYASAHEB PATIL
VERSUS
GANESH LAKSHIMAN DHOBLE AND ORS.

...

Advocate for Applicant : Hrishikesh Sopan Shinde (Assit to PP)

...

CORAM : SACHIN S. DESHMUKH, J.
Date : 25th March, 2026

ORDER :-

1. The applicants have approached this Court seeking regular bail in connection with FIR dated 11.03.2025 bearing Crime No. 179 of 2025 registered with Mangalwedha Police Station, Dist. Solapur Rural for the offences punishable under Sections 351(3), 351(2), 191(3), 191(2), 191(1), 190, 189(4), 189(2), 109, 103(1), 238(a), 238(b) of the Bharatiya Nyaya Sanhita, 2023 alongwith

Section 4 read with 25 of the Indian Arms Act and Section 135 of the Maharashtra Police Act.

2. The prosecution case is that the deceased Reena Appaso Dhobale was the sister-in-law of accused No. 1. Following the death of her husband four years prior, she entered into a relationship with Chandrakant Tatyasaheb Patil and began residing with him in a tin shed located on her agricultural land. This relationship, combined with Reena's decision to sell two acres of her land to one Saiprasad Nagesh Dhone, caused significant resentment and annoyance to Accused No. 1 and his relatives.

3. It is further alleged that a long-standing dispute existed between Reena and accused No. 1. This conflict escalated on 09.03.2025, resulting in a physical quarrel and the filing of cross-complaints, registered as C.R. Nos. 174/2025 and 175/2025, at the local police station. On 11.03.2025, between 09:00 and 09:30 a.m., accused Nos. 1 to 7 arrived at Reena's residence armed with a hammer, scythe, iron pipe, and sticks. Fearing for their safety, Reena and Chandrakant locked themselves inside their tin shed. The accused proceeded to break open the door, entered the premises, and launched a violent assault on both individuals using

the weapons in their possession, causing their immediate death at the spot.

4. The case of the prosecution is that during the incident, Chandrakant managed to place a phone call to his brother, Raosaheb Tatyasaheb Patil, who rushed to the scene. Upon his arrival, Raosaheb witnessed the accused persons assaulting Reena and Chandrakant. When he attempted to intervene and rescue them, the accused turned on him, causing injuries with an iron rod and sticks. Raosaheb was subsequently rescued by his father and taken to the hospital, while Reena and Chandrakant succumbed to their severe injuries at the scene of the crime.

5. The learned counsel for applicants, on instructions, not pressed the application to the extent of applicant No. 2 Nishant Tukaram Dhoble. Accordingly, the application to the extent of applicant No. 2 is dismissed as not pressed.

6. The learned counsel for the applicant submits that the applicant Ganesh has been falsely implicated in the offence. There is a manifest lack of specific overt acts attributed to Ganesh in the initial narrative, which indicates that this is a case of over-

implication. There is material inconsistency in the versions of prosecution witnesses in relation to presence of the applicant Ganesh at the scene. The arrest of the applicant is effected on 12.03.2025. Investigation is complete and the charge-sheet is filed. Nothing remains to be recovered at the instance of applicant. As such, further incarceration of the applicant is unjustified. Hence, it is prayed that the application be allowed.

7. The learned APP and learned counsel for informant opposed the application, submitting that the offence is serious in nature and that there is sufficient material on record to establish the applicant's complicity. The gravity of the assault is the factor that disentitles the applicant Ganesh from seeking bail. Furthermore, the APP argued that if the applicant is released on bail, there is every possibility of the prosecution evidence being tampered with or the offence being repeated. Accordingly, it was prayed that the application be rejected.

8. Upon considering the submissions of both sides and perusing the material on record, including the charge-sheet, the prosecution case stems from a long-standing land and pipeline dispute between the deceased, Reena, and Accused No. 1. While the incident dated 11.03.2025 involved an assembly of seven

persons, the specific motive for the assault appears rooted in the personal grievances of accused No. 1 and his immediate relatives.

9. A perusal of the prosecution's narrative reveals that while general allegations of assault with various weapons like hammers, scythes, and iron pipes are made against the group, the specific overt act causing the fatal injuries to Reena and Chandrakant is not distinctly attributed to the applicant, Ganesh. In cases involving a large number of accused, the possibility of over-implication or "widening the net" cannot be ruled out at the stage of bail, especially when the individual role of an accused is not clearly demarcated from those who held the primary motive.

10. Moreover, there are material inconsistencies in the versions of prosecution witnesses in relation to presence of applicant Ganesh at the scene. Some of the witnesses identifies the presence of the accused persons, yet the medical evidence and the recovery of weapons must be corroborated during the trial to establish the applicant's actual participation in the common intention. At this prima facie stage, there is no material brought on record to indicate that the applicant is a habitual offender or that he has a criminal antecedent that would suggest a tendency to interfere with the administration of justice.

11. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed. Having regard to the number of accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period.

12. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. The apprehension expressed by the learned APP and learned counsel for informant about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

13. Hence, the following order:

ORDER

- (I) Application to the extent of applicant No. 2 Nishant is disposed of as '**not pressed**'.
- (II) Application is **allowed** to the extent of applicant No. 1 Ganesh on following terms and conditions.
- (III) Applicant – Ganesh Lakshiman Dhoble be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in Crime No. 179 of 2025 registered with Mangalwedha Police Station, Dist. Solapur Rural for the offences punishable under Sections 351(3), 351(2), 191(3), 191(2), 191(1),

190, 189(4), 189(2), 109, 103(1), 238(a), 238(b) of the Bharatiya Nyaya Sanhita, 2023 alongwith Section 4 read with 25 of the Indian Arms Act and Section 135 of the Maharashtra Police Act, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
- (d) Breach of any of the conditions by the applicant would entail the cancellation of the bail.
- (IV) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (V) Resultantly, pending criminal application, if any, also stands disposed of.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi