

VRJ

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

**BAIL APPLICATION NO.63 OF 2026**

|                          |                |
|--------------------------|----------------|
| Jitendra Chintu Yadav    | ... Applicant  |
| <b>V/s.</b>              |                |
| The State of Maharashtra | ... Respondent |

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Mr. Paras Yadav for the applicant.

Mr. Nitin B. Patil, APP for the State.

Ms. Pallavi Yadav, API, Hatkanangale Police Station,  
District Kolhapur is present.

**CORAM : MRS. VRUSHALI V. JOSHI, J.**

**DATED : FEBRUARY 4, 2026**

**P.C.:**

1. By the instant bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the applicant is seeking regular bail in connection with Crime Register No.461 of 2024 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 103(2), 119(1), 126(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that on the complaint lodged by one Sandeep Kamble, a crime came to be registered. The

alleged incident took place on 16th August 2024. At about 2:30 p.m., the complainant and others went to Kumar Vidyamandir, Rui, to meet the applicant in order to resolve a past dispute. Thereafter, at around 9:15 p.m., the applicant along with the other co-accused allegedly assaulted them with sticks, bamboos, stones, iron rods, swords and other sharp weapons.

3. The learned counsel appearing for the Applicant submits that this Court has already granted bail to one of the co-accused, who is alleged to be an assailant and against whom specific allegations of assault with bamboo sticks have been made. It is further submitted that the Applicant has been in custody since August 2024, and though the charge has been framed, the prosecution witnesses are yet to be examined. The learned counsel further points out that co-accused Dilip Sathe, who is alleged to have assaulted the deceased with bamboo sticks, has already been released on bail by this Court. The case of the present Applicant stands on parity, as there are no specific allegations of assault against him; the only allegation attributed to the Applicant is that of instigation. Hence, it is prayed that the Applicant be released on bail on the ground of parity.

4. Learned APP vehemently opposes the Application, contending that specific allegations of assault have been made against all the accused who were present at the spot. It is submitted that the ground of parity is not available to the Applicant, as he is alleged to have instigated the other accused to commit the murder of the deceased. The charge has already been framed, and the trial has commenced. Hence, the learned APP prays for rejection of the Application.

5. I have heard learned advocate appearing for the applicant and the learned APP.

6. The role attributed to the present Applicant is limited to instigation of the other accused to kill the deceased, and there are no specific allegations of assault against him. It is noted that the co-accused has already been released on bail. Although the charge was framed, no prosecution witness has been examined by the Trial Court in the last four months. Considering that the ground of parity is available to the Applicant, the Application deserves to be allowed.

7. Hence, following order is passed:

- i) The bail application is allowed;
- ii) The applicant - Jitendra Chintu Yadav is directed to be released on regular bail in connection with Crime Register No.461 of 2024 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 103(2), 119(1), 126(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023, upon furnishing a personal bond of Rs.25,000/- 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 Hatkanangale Police Station, District Kolhapur on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
  - b) The Applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
  - 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.)**